

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander

Parish: Wembury **Ward:** Wembury and Brixton

Application No: 2821/17/FUL

Agent/Applicant:

ADP
5 Coldharbour Business Park
Sherborne
Dorset
DT9 4JW

Applicant:

Mr P Beagle
c/o Darnells Chartered Accountants
Quay House
Quay Road
Newton Abbot
TQ12 2BU

Site Address: Fort Bovisand, Bovisand, Devon, PL9 0AB

Development: Revised application for the conversion of Bovisand Fort and associated buildings, removal of one building, and construction of new towers, an apartment building, 11 new dwellings, new quayside commercial accommodation and conservation of historic fabric, together with associated landscaping, parking and re-establishment of the link to the coastal footpath, creating a total of 81 residential units, office, teaching/studio space, event space, visitor centre and facilities, café and relocation of MOD space and additional commercial space.

Reason item is being put before Committee:

Councillor Brown wants the application to be heard at Planning Committee because:

- Considerable public interest
- in my view considerable change from original application



Recommendation: Approval

Conditions/Reasons for refusal (list not in full)

1. Time limit
2. Accord with plans
3. Materials samples
4. Archaeological investigation and recording
5. Landscaping
6. Contaminated land details
7. Contaminated land verification report
8. Unexpected contaminated land
9. Construction Management Plan
10. Details of foul drainage system to be agreed
11. Repairs to pier/ harbour to be agreed and undertaken
12. Public safety procedures for flood or storm events to be agreed
13. Details of surface water drainage and pollution interceptors to be agreed
14. Revised emergency response plan to be agreed
15. Recommendations in Unexploded Ordnance Threat Assessment Report to be followed
16. Planting scheme for green roofing to be agreed
17. Recommendations in Unexploded Ordnance Threat Assessment Report to be followed
18. Details of all external lighting to be agreed
19. Bat Mitigation Strategy to be agreed and enacted
20. Reptile Method Statement and Mitigation Strategy
21. Details of the proposed interpretation boards etc to be agreed
22. Construction and Ecology Management Plan shall be submitted to the LPA for approval
23. A Landscape Ecological Management Plan shall be submitted to the LPA for approval, incorporating requirements for protected species
24. European Protected Species Licence prior to commencement
25. The final design details and material choices shall accord with DIO rules

Key issues for consideration:

- Development in the countryside
- Impact on AONB
- Effect on listed buildings and scheduled ancient monuments
- Traffic generation on completion
- Impact of development on neighbours
- Environmental impact
- Wildlife, ecology and biodiversity
- Water quality
- Flooding
- Contamination, unexploded ordnance etc
- Emergency response and public protection
- Benefits of visitor centre and restored heritage assets to the area
- Design of the new build elements

Financial Implications (Potential New Homes Bonus for major applications):

It was agreed during pre-application discussions that the site faces a large 'conservation deficit' and can only be viable with enabling development. The proposal also missed out on receiving the Heritage Lottery Funding, which was aiding the viability in the previous proposal. The viability figures have been assessed by Historic England's expert advisor and are judged to be sound. For this reason no financial contributions are sought.

Site Description:

The site is a former fort complex and was part of the coastal defences for Plymouth and encompasses evidence for continuous phases of improvement and adaptation to cope with changing threats and technological advances over the centuries. It is a fine example of a 19th century Palmerston fort. The completeness and outstanding national significance is acknowledged by the status of Scheduled Monuments and listing, with the lower fort being grade II* and the upper fort grade II. Recently some of the WWII searchlight structures have also been listed at grade II and Rennie's fine harbour wall is also listed at grade II. Regular use of the site by the MOD has ceased in recent years and as such the site has become vulnerable to vandalism and a lot of damage has occurred.

The Fort Bovisand complex lies towards the southern end of the site and is comprised of an upper (north) and lower (south) fort, ancillary buildings; a harbour and pier, containing further buildings including the dive centre; a relatively recent (1980s) accommodation block; several historic submarine searchlight positions; and a recent navigation waylight tower. The upper and lower forts are constructed over several levels including subterranean corridors, basements and other structures. The upper fort dates from 1849 and the lower fort from 1860-1869. The older buildings are mostly constructed of granite, limestone, concrete and brick.

The site is also well known for its dive centre and this important facility will also be provided for by the proposed development.

Fort Bovisand is a much loved feature of the coast path and for many years it was visited by generations of local people. Despite its scale and the robust and imposing nature of the buildings the site is well integrated into the landscape with a wild and natural character.

The 1980's dive centre accommodation block has not aged well and detracts from the appearance of the site as well as the setting of the heritage assets.

A previous proposal for the redevelopment and regeneration of the site was approved in 2015. The current has some changes from that approved scheme.

The site lies within the South Devon Area of Outstanding Natural Beauty (AONB).

The Coast guard cottages are listed grade II (outside of the application site)

Land to the north of the main fort buildings and the seashore are designated a Site of Special Scientific Interest (SSSI);

It is within the Plymouth Sound and Estuaries Special Area of Conservation (SAC)

It is also within the Bovisand County Wildlife Site and the Wembury Voluntary Marine Conservation Area.

A listed building application has also been submitted alongside the planning application. The detailed analysis of the impacts and works to the historic assets has been provided in that report.

The Proposal:

This is a revised application for the conversion of Bovisand Fort and associated buildings, which includes;

- Conversion of the SAM and listed building to the Lower Fort
 - Casemates 00 – 03 Café/restaurant with new build first floor extension (as per the approved scheme)
 - Casemates 04 – 06 for flexible event space
 - Casemates 07 – 08 permanent visitor centre

- Casemates 09 – 23 to provide 15 residential units of which 7 are as per the approved scheme
- Casemates 11 – 13 will be linked to the WW II towers above and a new infill extension.
- Conversion of the Scheduled Ancient Monument and listed building of the Upper Fort to provide 6 residential units. (This is as already approved).
- Construction of 2 new towers, (effectively the reinstatement of the historic towers) in the Upper Fort to provide 8 new residential units (4 in each tower);
- Construction of a new residential unit, replacing Hill House (this will include the retention / conversion of the searchlight position contained within the existing structure);
- A new apartment building, which will replace the existing two storey accommodation block to create 41 new apartments (30 were previously approved).
- Conversion of the Quartermaster's house with new first floor extension to replace the existing one, which will provide 1 residential unit
- Construction of 3 new residential units (outside the SAM) – Quarry Road cottages
- Construction of 6 residential units (also outside the SAM), Fort Bovisand Cottages
- New build quayside accommodation (replacing the existing structure) for the relocation of the MOD space/ commercial use for water based activities
- Conversion of buildings 5 & 6 to maintain space for commercial use and provide storage
- The searchlight positions, gun emplacements, buildings 1, 7 and 8 will be conserved with later additions removed.
- Remove building 9
- Landscaping of parts of the wider site and the creation of public landscaped areas at the Quayside.
- The former link to the public footpath will be reinstated.
- Residential, visitor and commercial parking provision. 65 additional spaces plus 16 cycle spaces and 4 disabled visitor spaces.
- An energy centre and LPG storage (as per the approved scheme).

The proposal is supported by the following reports and documents:
 Fort Bovisand Wave Overtopping Final Report May 2017

Fore Bovisand redevelopment SW and FW assessment 2017

Structural Engineering Statement.

Conservation Management Plan July 2017 plus appendices A-F.

Geotechnical Investigation reports: Geo – environmental-The site has had extensive MOD usage over the years and more recently extensive improvement works for commercial use. In the areas investigated, generally low contaminant concentrations were recorded with the exception of a localised hotspot. On further examination by bore testing, no further contamination was identified.

All other areas are considered to be of lower concern due to the proposal either being hard covered or low land use sensitivity and the existing site condition of very thick concrete floors which would have significantly minimised any potential contaminant migration. It is therefore assessed that significant contamination is not expected and extensive remedial measures are not likely to be required.

A number of locations of former fuel storage could not be fully investigated, therefore, further visual investigation is recommended during construction.

Geo technical: The previous geo-technical report identified key areas of immediate and short-term risk to the entrance road to Fort Bovisand. The immediate risk is to an area adjacent to the site entrance road where the road is only a metre or so from a near vertical cliff face. The short-term risk areas lie outside of the site adjacent to the entrance road opposite the neighbouring Bovisand Court.

Further investigations were undertaken to the cliffs within Fort Bovisand and found that there are areas where seawalls and coastal structures are being undermined. Design work has taken place to provide a preliminary report for the stabilisation of the cliffs which will be the subject of a separate planning application.

Preliminary Condition Assessment

Stabilisation works parts 1 -3

Design and Access Statement:

This provides detailed design and access analysis and explains the ethos behind the design evolutions.

Planning Statement. This provides an analysis of the planning policies in place in the area
Photographs of Fort Bovisand from various viewpoints

Arboricultural Survey: The Arboricultural survey identifies seven trees on the site which should, and are, being retained. Of the remaining, only five trees are to be affected by the proposal, two to the side of the accommodation block and one at the base of the killing trench and two to the rear of the upper fort.

Ecology Survey: A preliminary ecological report was carried out to support the original application which concluded: Evidence of bat use, mainly in the form of droppings and feeding remains, was found throughout much of the upper and lower forts; most of the other buildings have relatively low bat roost potential and contained no visible evidence of bat roosting in the areas inspected. Two lesser horseshoe bats were observed roosting in a subterranean corridor and DNA analysis of sampled droppings confirmed the presence of greater horseshoe bat, grey long-eared bat and brown long-eared bat. The surveys undertaken found low numbers of bats to most of the existing buildings. The proposed development and works are likely to affect the bats to the extent that a licence will need to be obtained from Natural England.

Bird survey: A breeding bird survey was undertaken of the site in 2014 (Swift Ecology 2014), based upon the combined survey methodologies of the common bird census (BTO 1983) and cirl bunting survey (RSPB 2014) methods, which identified forty-three bird species, indicating that the site is of 'local' ornithological importance. It also concluded bird species of high and medium conservation status, including a single recording for cirl bunting (a legally protected, rare species of high conservation concern). However the lack of further sightings/recordings was considered to indicate that the site did not include any nesting sites for cirl bunting during 2014.

Two further surveys have been carried out in 2015 and 2016, A total of thirty-five and twenty seven species were recorded during the 2015 and 2016 breeding bird transect surveys respectively, of which twenty-two species are considered to breed within or in the immediate surroundings to Fort Bovisand, reconfirming the site of 'local' ornithological importance. The 2015 and 2016 bird survey identified no cirl buntings, and it is not considered that the site supported any cirl bunting nesting sites during 2015 or 2016. The recommendations from the report would need to be complied with and include further cirl bunting surveys as well as new areas of nesting to be incorporated. This will also be the subject of a planning condition.

Reptile Survey: The site supports three species of reptiles; slow worm, common lizard and adder (see survey for details). Mitigation measures will be required in order to avoid significant harm to the reptiles. The proposal will follow recommendations put forward in the report. The precise requirements will depend on the nature of the impact on the reptiles. The report lists possible actions, habitat enhancements, refuges and mitigations that can be undertaken to minimise any adverse effect on the reptiles.

Fort Bovisand Bat report: The surveys undertaken found low numbers of bats to most of the existing buildings. The proposed development and works are likely to affect the bats to the extent that a licence will need to be obtained from Natural England.

Surveys have been updated annually since the first survey in March 2015. The latest was undertaken in February 2017.

Habitat Survey: The survey found six areas of scrub habitat supporting species of rich vegetation within the site. These habitats are relatively limited in extent and isolated. The habitats will be retained where possible and consideration will be given to enhancing the green infrastructure across the site.

Mitigation and Enhancement Strategy - Bats, Birds and Reptiles: A strategy has been developed to manage and enhance the habitats of the bats, birds and reptiles on site and safeguard their future on site.

Fort Bovisand Mitigation Strategy

Detailed Unexploded Ordnance Threat Assessment: Fort Bovisand lies within a nuclear site consultation zone and therefore any new construction is required to meet extreme loading requirements to its structure and facades. This has the consequence of restricting the choice of window frame types and sizes and construction methods in order to withstand these loads.

Floyd consult Moisture and drying report for Fort Bovisand and addendum

Fort Bovisand Asbestos register: this register indicates the various parts of the buildings and whether asbestos has been identified, is likely or has not been found. There are some areas within the building where asbestos has been identified.

Landscape and Visual Impact Assessment:

Landscape Character Assessment:

It concludes that the landscape character impact significance is deemed to be '**MODERATE**' Landscape areas with reasonably positive character, but with evidence of alteration or degradation of character or features. Potentially tolerant of some changes, and worthy of enhancement.

This is for the following reasons.

The site is of national importance and its preservation will significantly help to ensure the character of the coastline is enhanced.

Mitigation Measures.

Restoration should be sympathetic to the existing architectural character and guidelines followed within the ecological reports to ensure minimal disruption to the SSSI and SAC.

Landscape Visual Impact Assessment:

The overall visual impact significance is deemed to be '**MODERATE**' Properties with secondary views, primarily from first floor level. Users of outdoor recreational facilities where the view is less important to the activities (e.g. Sports pitches) Rights of way where the landscape is not the significant feature. This is for the following reasons.

Whilst the proposed development will be visible by the general public from designated areas, it is judged that by using an appropriate scale and material choice to the surroundings, these changes may cause a slight deterioration in the view but could be missed by the casual observer. In some cases the view is improved, where dilapidated buildings have been restored and greenery added.

Mitigation Measures

Materials should be selected to ensure the development is in keeping with the surrounding landscape character. As the site is exposed with little room for planting, there is minimal opportunity for tree planting to provide a screen, however, there is an opportunity to introduce some planting within the car park.

Acoustic report:

The assessment has indicated that internal noise levels in the proposed dwellings have the potential to satisfy the BS 8233 guideline limits. It has been established that the existing external noise levels satisfy the WHO *Guidelines for Community Noise* criteria due to the minimal presence of "community noise" sources.

Plant noise limits not to be exceeded at the closest residential receptors (Bovisand Court) have been proposed in the form of rating level limits. The noise limits will ensure that noise associated with the development will have a low impact on the receptors, given the context of the site, according to the methodology given in BS 4142.

Daylighting assessment (in relation to the accommodation in the Est and West towers of the Upper Fort and the new apartment building:

The results indicate that the average daylight factors in 83% of the rooms modelled in the east tower are **greater than 2%** when a light transmittance of 80% is used with no solar shading. Where rooms do not achieve the minimum daylight factor percentage consideration to reviewing the apartment layout and window location should be given architecturally.

The results for West tower show that the majority of the rooms meet the required levels. Where rooms do not achieve the minimum daylight factor percentage consideration to reviewing the apartment layout and window location should be given architecturally.

The revised layouts have made a noticeable improvement on the previous modelled proposal. Within the Apartment Building two typical apartments have been simulated due to the similarities between apartments the majority of the rooms meet the minimum daylight levels.

Flood Risk Assessment:

This has been assessed by DCC Flood Risk and Coastal Management Team and they have no objection provided a number of planning conditions are added any consent granted.

Sea Cliff remedial works Design Report:

This document recommends alterations and interventions into the cliffs below the access road which will be subject to a further planning application and EIA in due course.

Transport Addendum:

This concludes that as a result of the significant reduction in the visitor/ education visits to the site, which have reduced from an anticipated 35,000 down to 15,000 and the increase of residential units by 29, generating 18 peak flow two way trips, that the traffic moving to and from the site in this revised scheme is less in the current proposal than in the consented scheme.

External Lighting plan: This plan indicates the lighting proposals across the site.

Structural conditions survey: Provides structural surveys of the buildings on the site.

Commercial and Viability Information which is not public.

Plans and elevations of all of the buildings and proposed buildings as well as area schedules.

Consultations:

County Highways Authority:

The Highway Authority notes a total of 81 apartments are proposed broken down as follows -

16 x 1 bedroom

49 x 2 bedroom

14 x 2/3 bedroom

94 permanent residential car parking spaces are proposed along with 11 visitor spaces making a total of 105 spaces for the apartments. The Highway Authority accepts some of the apartments will be used as holiday rental. It also acknowledges the public highway provides some scope for parking.

Other uses on the site include:

A Visitor Centre - 207m²

Flexible Event Space - 207m²

Cafe/Restaurant - 314m²

Commercial Diving Centre - 299m²

MOD Building - 217m²

Plymouth City Council have jurisdiction of most of the roads leading to the site and therefore they should be consulted. Devon County Council as the Highway Authority in the direct vicinity of the site has no objection to the proposals.

Recommendation: The following conditions shall be incorporated in any grant of permission:

1. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:
 - (a) the timetable of the works;
 - (b) daily hours of construction;
 - (c) any road closure;
 - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
 - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
 - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
 - (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
 - (h) hours during which no construction traffic will be present at the site;
 - (i) the means of enclosure of the site during construction works; and
 - (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
 - (k) details of wheel washing facilities and obligations
 - (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
 - (m) Details of the amount and location of construction worker parking.
 - (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.

Highways England:

No objection

Environmental Health Section:

Recommends conditions

1. Universal condition for development on land affected by contamination

Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A site investigation scheme, based on the Phase 1 Contaminated Land Assessment submitted with the application to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
2. The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The initial contaminated land assessment has identified various sources of contamination on the site that need investigating further. The condition covers the full range of measures that may be needed depending on the level of risk at the site. If the LPA is satisfied with the information submitted with the application they can decide to delete any of elements 1 to 3 no longer required. The LPA may still decide to use the whole condition as this would allow them to declare the information no longer satisfactory and require more or better quality information if any problems are encountered in future.

Note: Depending on the situation, long-term monitoring may best be required by means of a S106 agreement, rather than a planning condition.

2. Verification report

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include, where relevant, a plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason: Without this condition, the proposed development on the site may pose an unacceptable risk to the environment. This is listed as a separate condition as it gives the LPA the option to choose a later control point: i.e. prior to occupation, rather than commencement of the development for the main phase of the remedial works.

Note: Depending on the situation, long-term monitoring may best be required by means of a S106 agreement, rather than a planning condition.

3. Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amended investigation and risk assessment and, where necessary, an amended remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

Note – this condition can be used in addition to the universal condition, or on sites where no contamination is known or suspected.

4. CEMP

Prior to commencement of development the following components of a scheme to deal with the environmental impacts of the construction phase of the development shall be submitted and approved by the local planning authority in writing. That scheme shall include details of noise impacts and controls, hours of operation, and dust impact assessment and proposed control in accordance with the Institute of Air Quality Management guidance for dust assessment from construction sites.

5. Provision of Electric Vehicle Charging Points

Prior to commencement of development the applicant shall submit for approval, full details of proposed electric vehicle charging points to be provided, these details shall include the location, number and power rating of the charging points. This shall accord with good practice guidance on mitigating air quality impacts from developments produced by the Institute of Air Quality Management.

- **South West Water:** No objection

- **DCC Flood risk and Coastal management:**

At this stage, we object to this planning application because we believe it does not satisfactorily conform to Policy CS11 of South Hams District Council's Core Strategy (Adopted December 2006) which requires developments to manage the impacts of climate change through the inclusion of sustainable drainage. The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Further clarification of the existing surface water drainage network and the capability of the network to accept additional areas draining into it is needed.

Amended response:

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission:

No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Surface Water and Foul Water Drainage Assessment (job No. 14172; dated May 2017; Appendix K1 of the Fort Bovisand Regeneration Project), Flood Risk Assessment (job No. 14172; Rev. B; dated May 2017) Proposed Drainage Layout sheet 01 of 04 (drawing No. 200; Rev. P4; dated September 2015), Proposed Drainage Layout sheet 02 of 04 (drawing No. 201; Rev. P4; dated September 2015), Proposed Drainage Layout Sheet 03 of 04 (drawing No. 202; Rev. P4; dated September 2015), Proposed Drainage Layout Sheet 04 of 04 (drawing No. 203; Rev. P4; dated September 2015), MicroDrainage model outputs (File 14172-MD Summary Rev. A), Flood Flow Exceedance Path Sheet 1 of 4 (drawing No. 500; Rev. P5; dated September 2015), Flood Flow Exceedance Path Sheet 2 of 4 (drawing No. 501; Rev. P5; dated September 2015), Flood Flow Exceedance Path Sheet 3 of 4 (drawing No. 502; Rev. P5; dated September 2015), Flood Flow Exceedance Path Sheet 4 of 4 (drawing No. 503; Rev. P5; dated September 2015).

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

Observations:

Following my previous consultation response (FRM/SH/2821/2017, dated 14th September 2017), the applicant has provided additional information in relation to the surface water drainage aspects of the above planning application, in an e-mail dated 20th October 2017, for which I am grateful. If not already done so, the applicant should submit the below information to the Local Planning Authority:

- Proposed Drainage Layout sheet 01 of 04 (drawing No. 200; Rev. P4; dated September 2015)
- Proposed Drainage Layout sheet 02 of 04 (drawing No. 201; Rev. P4; dated September 2015)
- Proposed Drainage Layout Sheet 03 of 04 (drawing No. 202; Rev. P4; dated September 2015)
- Proposed Drainage Layout Sheet 04 of 04 (drawing No. 203; Rev. P4; dated September 2015)
- MicroDrainage model outputs (File 14172-MD Summary Rev. A)

The applicant should depict how and where the oil interceptor will be connected into the drainage network. As noted in the Surface Water and Foul Water Drainage Assessment (job No. 14172; dated May 2017; Appendix K1 of the Fort Bovisand Regeneration Project) the applicant should assess, clear and/or upgrade the existing surface water drainage network where necessary, as well as installing additional access points where appropriate.

It is noted that any proposed works to an ordinary watercourse located outside of the development may need Land Drainage Consent, which must be obtained from Devon County Council's Flood and Coastal Risk Management Team prior to any works commencing. Details of this procedure can be found at: <https://new.devon.gov.uk/floodriskmanagement/land-drainage-consent/>.

Natural England:

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Plymouth Sound and Estuaries Special Area of Conservation
- damage or destroy the interest features for which Plymouth Sound Shores and Cliffs Site of Special Scientific Interest has been notified

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- financial contribution to the Tamar Estuaries Consultative Forum to mitigate potential increases in recreational pressure arising from the development
- Construction and Environmental Management Plan to prevent detrimental run-off, or physical disturbance of designated sites
-

Defence Infrastructure Organisation / MOD safeguarding:

Recommend a pre commencement condition:

Prior to the commencement of development, details and assessments of all existing and new buildings included in the development hereby permitted, using dynamic assessment methods shall be submitted demonstrating the compatibility of the structures with the following dynamic loadings

Full reflected pressure = 9.8kPa
Full Reflected Impulse = 1270kPa-ms
Incident Pressure = 4.8kPa
Incident Impulse = 705kPa –ms
Shock Front Velocity = 347 m/s
Peak Dynamic Pressure = 0.0805Kpa
Peak Particle Velocity = 11.28 m/s

Reason: The site of the proposed development is located within the outer statutory explosives safeguarding zone surrounding Plymouth Sound. All buildings within this zone should be non-vulnerable and of robust construction and design, so that in the event of an explosive incident, nearby buildings will not collapse or sustain damage that will cause critical injury to the occupants of those buildings.

Historic England: This application follows the grant of planning permission and listed building consent in 2016 for the restoration of Fort Bovisand and its conversion into a mixed-use development. Historic England strongly supported the 2016 proposals, which were to be enabled through a substantial grant from the Heritage Lottery Fund. Unfortunately this grant was ultimately not forthcoming, rendering the consented scheme unviable.

After it became apparent that the HLF grant was not available, the applicants engaged with Historic England and South Hams District Council to establish whether there was scope for increasing the amount of residential development on the site to bridge the funding gap left by the loss of HLF grant aid. These proposals are the result of those discussions.

The previous proposals contained 52 residential units, a substantial visitor centre, plus other ancillary uses. These proposals provide 80 residential units, other ancillary uses, and a significantly-reduced visitor centre. The additional accommodation is provided for by increasing the size of the new-build apartment block, converting additional casemates into residential units, and constructing 9 new-build houses on sites outside the scheduled area.

In our previous assessment of the 2016 proposals we noted that that certain aspects may have an adverse impact on the significance of Fort Bovisand, but that harm should be balanced against the considerable heritage benefits associated with the restoration of the fort and provision for its long-term sustainable management. The primary question to be addressed in our assessment of these proposals, therefore, is whether the additional residential development causes further harm, and if it does whether that tips the “planning balance” such that the benefits no longer outweigh the harm.

Historic England’s view, expanded upon below, is that the proposals will cause a degree of additional harm to the setting of designated heritage assets when compared to the 2016 proposals. However, we consider that harm to be less than substantial, and recommend it is weighed against the wider public benefits on offer including the significant heritage benefit associated with restoration of the complex.

Impact

This section provides comment on proposed alterations and additions to the previously-consented proposals. We do not wish to provide additional comment on matters for which a principle was established in the 2016 consent.

In approaching the challenge of accommodating additional residential development following the loss of the HLF grant, during preapplication discussion we advised the applicant to consider the site as a series of “zones”. The site of the proposed apartment block (and the quarry area above) is outside the scheduled area, and we advised that any additional development at this location should subtly respond to the natural topography rather than the fort structures, and be as recessive as possible in the context of longer views of the site. Within the scheduled area we felt that there was no opportunity to construct any new-build, but we would consider further conversion of casemates. On land to the South - the other side of the “killing trench” - we advised that development should respond to the domestic scale and character of the existing (Grade II listed) coastguard cottages, adjacent. By and large this advice has been followed, and our detailed comments in respect of the extra residential units and their impact is set out below.

Coastguard cottages

The application proposed a terrace of six houses on land to the south of the “killing trench” that under the previous proposals was to be used for car parking. The proposed terrace is a contextual modern response which takes its design reference in materiality and architectural rhythm from the existing cottages, adjacent. The steeply-sloping nature of the site is taken advantage of to allow the provision of garaging beneath the terrace, but the applicant has taken care to ensure the garaging visually reads as a plinth cut into the land, ensuring the cottages above will be of the requisite domestic character.

The cottages are very close to the Southern side of the scheduled killing trench. The use of a hipped roof form will prevent direct visual intrusion in views of the monument, but nevertheless there may be an effect on its integrity as a piece of defensive infrastructure designed to protect Fort Bovisand from landward attack. The modern architectural style of the buildings will partially mitigate this impact, allowing the viewer to understand the terrace is a modern addition that would not have existed at the time the killing trench was designed.

Additional residential units within the lower fort

Under the previous consented scheme, seven of the casemates (the semi-circular emplacement at the base of the fort complex) were to be converted to residential units, with the remainder utilised for a visitor centre. The visitor centre is now significantly scaled back and 15 casemates would become new homes. The design and layout of the proposed casemate homes follows that of the previous proposals, and is a sympathetic response which retains defining features such as the weathered iron blast shields in-situ with no external modification.

A new aspect of this scheme is the proposed utilisation of both existing WWII searchlight emplacements as the upper part of new duplex apartments. This positive move provides a beneficial use for these vulnerable structures, although care and thought will be needed in the conservation of their fabric to allow them to be used as habitable rooms. We do not rule out the principle of external insulation but - if you are minded to approve the proposals - request you impose a planning condition requiring further details of insulation proposals for these structures.

The reuse of the searchlight emplacements brings with it a need to create two new apertures in the vaulted ceilings of casemates 11 and 13 to facilitate vertical circulation. This

intrusion in historic fabric should be viewed in the context of it facilitating the sustainable reuse of the structures above and could be justified if intrusion in fabric is kept to a minimum. A precedent exists in the form of the existing aperture in casemate 12, but a planning condition should be applied to require further drawn details of the new openings.

New apartment block

The proposed apartment block on the site of the existing former dive centre accommodation block has increased in size, with 41 units as opposed to 30 in the 2016 consent. This has been achieved through the provision of an additional storey and an increased footprint.

The topography of the site means that despite its size, the proposed apartment block will not be prominent in views from the fort. In close proximity, it is only in the quayside area where the proposed apartments will be prominent. In wider views from Plymouth Sound and the Hoe area, the apartment block has the potential to dominate the setting of the scheduled fort. This is why Historic England have consistently expressed the desire for the design to be as recessive as possible; tiered into the hillside, faced in natural local materials that reflect its surroundings, with glazing set in deep reveals to minimise potential glare from sunlight.

We are satisfied that the current proposals achieve this ambition. We note preapplication comments from the Design Review Panel expressing a desire for a more bold form of architecture that responds to the drama of the location, but in our view this approach risks the apartments becoming the principal focus of the site in longer views, to the detriment of the setting of the fort. The current proposal responds to surrounding topography through its curved footprint and tiered elevations, with storeys stepping back against the steep hillside as it rises. We are confident that this is the appropriate response to the historic context, and that - subject to careful consideration of materials - it will not dominate the setting of the fort.

Quarry Houses

Three new detached houses are proposed for construction on an existing terrace above the proposed apartment building, outside the boundary of the scheduled monument. These have the potential to be exciting additions to the landscaped setting, although there is a danger that in longer views they will be read as part of the apartment block, increasing its perceived scale and massing. This effect could be avoided through careful consideration of materials, and as with the proposed apartment block we recommend a planning condition be imposed to secure an appropriate appearance.

Policy

Enabling Development is development that would be unacceptable in planning terms but for the fact it would bring heritage benefits sufficient to justify it being carried out and which could not otherwise be achieved. The proposals have been scrutinized by our enabling Development department, as was the previous scheme. Based upon the loss of the HLF grant, they confirm that the amount of additional development proposed is still the minimum necessary to complete the project and provide the associated heritage benefits. There is an extra level of scrutiny that could be applied; that to verify the projected build costs and that to substantiate the projected sale valuations. Historic England previously undertook the former exercise but have been unable to do so this time due to staff shortages in our engineering team. The sale valuations exercise should be undertaken by an RICS accredited valuer.

Paragraph 140 of the National Planning Policy Framework provides advice in regards to enabling development proposals. It states that “Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.”

In this context, Historic England believes that these proposals represent the best chance for securing long-term management of the asset. They represent its optimum viable use; which is defined by paragraph 15 of the Planning Practice Guidance on conserving and enhancing the historic environment as the use “likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.”

The complex is partly scheduled and partly listed, and should be considered a highly graded heritage asset under the terms of NPPF 132, which advises that great weight should be given to the conservation of a heritage asset - and that the more important the asset the greater the weight should be.

Paragraph 126 requires local authorities to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay, or other threats. Commendably, South Hams District Council has a strategic objective set out in their Core Strategy to seek a reduction in the percentage of listed buildings at risk in the area. We suggest these proposals firmly dovetail with the objectives of these national and local policies.

As noted above, the proposals will cause some harm to the significance of the fort; the larger new build residential block will impinge on its setting, there is minor loss of historic fabric in the creation of new staircases, and the new terraced housing is uncomfortably close to the scheduled killing trench. But that harm should be balanced against the wider public benefits of the proposals as required by paragraph 134 of the NPPF.

Historic England is of the view that the heritage benefits remain very significant despite the loss of the proposed visitor centre. The complete restoration of all historic buildings and their subsequent removal from the National Heritage at Risk register is perhaps the most significant benefit. But greater appreciation and understanding of the site is also a significant aspect, with the proposed unfettered public access through the site (with the exception of the upper fort) providing multiple opportunities for the public to engage with the site and interpret its history. An interpretation strategy would assist this, and could be provided through planning condition. Ultimately, the scheme will provide a long-term sustainable future for the site, and it is very difficult to envisage any other means by which this could be achieved.

Recommendation

Historic England supports the applications on heritage grounds, subject to the imposition of the following conditions in addition to those your authority may choose to apply.

- Details of all new materials, including physical samples.
- Details of proposed insulation and measure to facilitate inhabitation of WWII searchlight emplacements.
- Details of proposed apertures in casemate vaulted ceilings to facilitate insertion of staircases.
- Details of all new fenestration.
- Details of a site-wide interpretation strategy.

These suggested conditions should be should be approved in writing by your authority in consultation with Historic England.

- **Town/Parish Council:** Objection unless amended to resolve traffic concerns:
- **Devon County Council Education:** Devon County Council would like to provide an education response for the application above.
The proposed 65 family-type dwellings, will generate an additional primary pupils 16.25 and 9.75 secondary pupils. Devon County Council will seek a contribution towards additional education infrastructure at the local primary school that serve the address of the proposed development. The primary contribution sought is £221,845 (based on the 2015 DfE extension rate per pupil of £13,652) which will be used to provide education facilities in the area. There is currently capacity at the designated secondary school and therefore a contribution towards secondary education would not be sought.

In addition, a contribution towards Early Years education is needed ensure delivery of provision for 2, 3 and 4 year olds. This would cost £16,250 (based on £250 per dwelling). This will be used to provide additional early years provision for pupils likely to be generated by the proposed development.

In addition to the contribution figures quoted above, the County Council would wish to recover legal costs incurred as a result of the preparation and completion of the Agreement. Legal costs are not expected to exceed £500.00 where the agreement relates solely to the education contribution. However, if the agreement involves other issues or if the matter becomes protracted, the legal costs are likely to be in excess of this sum.

- **Office of Nuclear Regulation (ONR):** I have consulted with the emergency planners within Plymouth Council, which is responsible for the preparation of the Devonport off-site emergency plan required by the Radiation Emergency Preparedness and Public Information Regulations (REPPPIR) 2001. They have provided adequate assurance that the proposed development can be accommodated within their off-site emergency planning arrangements.
The proposed development does not present a significant external hazard to the safety of the nuclear site.
Therefore, ONR does not advise against this development.
- **Police Architectural liaison:** The inclusion of a Crime Prevention Statement is noted with many important factors having been considered but from a designing out crime, fear of crime, antisocial behaviour (ASB) and conflict perspective please find the following reiterations and additional advice and recommendations to that of my previously submitted response dated 7th December 2015, the content of which remains relevant to the above revised application.

It is fully appreciated that the site is constrained by many factors and that 13 spaces have been added to create a total of 117 onsite parking spaces but as previously alluded to, given the remote location of the site it is likely that the reliance of a private vehicle will be the preferred method of transport, especially for residents. As such adequate and appropriate parking provision to cater for the expected level of onsite vehicle activity and parking requirements for residents, visitors and business/commercial use must be seriously considered and factored in to prevent the potential for problems in the future.

The police spend a lot of time dealing with parking related issues and complaints as a result of inconsiderate and/or obstructive parking which can easily escalate into incidences of conflict, criminal and antisocial or unacceptable behaviour.

Adequate and appropriate parking provision for new development is a contentious issue and one that is not always appreciated until full occupancy and at the busiest times which by then is generally too late.

- **Health and Safety Executive (HSE).** The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

Community consultation events have taken place for the previous planning application. An extensive consultation took place during 2014/15 which informed the evolution of the scheme which was consented in 2016. An additional consultation took place on April 2017 to inform the local community about the proposed changes to the scheme.

The exhibition was in two stages: Parish Councillors Information Afternoon at Fort Bovisand site, Individual invitations were issued to all Parish Councillors.

Five Councillors attended the exhibition; the project was well received with unanimous support.

Neighbours' Information Evening at Mount Batten Centre: Local residents were informed in advance by leafleting. Eight attended, views were varied from the majority who were very supportive, to a small number who raised some concerns, all of which related to operational and/or construction traffic.

Landscape: Having discussed the application with the Landscape officer, whilst it is acknowledged that the application is a major development in the AONB as a result of para. 116 of the NPPF, should be refused and there will be an impact on the coastal landscape as a result of the proposal, that impact is quite limited from a public viewpoint perspective, as Bovisand Cottages will be visible from across the bay. The harm is thus to a limited degree and the overall benefits of the proposal in bringing the Fort and associated buildings back into use outweigh the limited harm.

Representations:

Representations from Residents

Comments have been received and cover the following points:

How can a single width access road cope with this amount of traffic taking into account that there will be other uses of the Fort in addition to residential occupancy?

How will the increase in traffic affect the quality of life and safety of residents already living in the immediate area?

Fort Bovisand has been used as a diving facility, the proposed development will increase the number of residents and visitors. Bovisand Court is very close to the road. Has consideration been given for the increase in disturbance and noise.

It will become a busy main road which walkers and cyclist also use.

When will work be undertaken to secure and repair the access road and what guarantee is given that there will be no subsidence or cliff erosion that could result in road failure?

Will a detailed plan be given of works to be undertaken?

Will neighbours be consulted, by whom and at what stage?

Will there be permanent speed restrictions along the access road?

Where will car parking be located?

Where will additional parking be located?

What timetable will be followed for works traffic and will our access to the road and our car park be protected during this time and in the future?

The café and car park can be very busy in the summer, have the Highway Authority visited during these times to determine how the access road will cope?

The access road to Fort Bovisand is dangerous for lorries, the road is on the edge of a sheer drop and eroding in places. Does the work to make the road safe have to be completed before planning permission is given?

Conflict with the busy car park in the summer and lorries is an accident waiting to happen.

Resident parking is not enough, which will mean more pressure on the existing public car park.

Concerns that many of the residential units will be second homes and the needs of local people are disregarded. A proportion of these homes must be set aside for local people.

The diving activities should be able to continue.

81 more residents at least will have a huge impact on existing residents – car fumes, noise, inconvenience, which will change the living environment for all residents from a quiet beautiful place to a busy noisy place

Ecologically massive disturbance. No mention of the numerous owls, failure to provide annual surveys for the local Cirl Bunting population.

The harbour is home to the Black faced Blenny which is found at only a few sites in the UK.

Bovisand car park and café and the bus stop and turning area should be retained.

There does not seem to be enough car parking provided.

More spaces are needed for the dive centre because of the weight and bulkiness of the equipment.

Fort Bovisand cottages is a huge eyesore on the historic landscape. Complete over dominance on the landscape.

What are Fort Bovisand Developments Limited going to do to minimise 3 years of noise for residents?

The access road is directly past our house only meters away in places

Relevant Planning History

58/2441/15/F Construction of new build residential development in place of former dive centre accommodation conversion of upper fort and part of lower fort into residential units provision of an Interpretation Centre café/restaurant facility relocation of MOD space. Consent granted June 2016.

58/2442/15/LB Listed building consent for repairs and other works associated with a heritage led regeneration project involving conversion of the upper fort and part of lower fort into residential units provision of an Interpretation Centre café/restaurant and re- relocation of MOD space. Consent granted March 2016.

ANALYSIS

Principle of Development/Sustainability:

The principle of the regeneration of Fort Bovisand has been established by virtue of the planning and listed building consent granted in 2016. The conversion of the existing scheduled ancient monument and listed buildings ensures their existence and preservation and enhancement into the future and the proposals include a light touch response to those buildings.

The proposals also include an element of new build, which is a necessary part of any regeneration scheme, so as to act as enabling development towards the preservation works to the historic assets.

This is where the difference occurs between the extant planning consent and this new proposal and in essence it is these parts which require the more detailed consideration at this point. The previous application had the benefit of some HLF funding which enabled a larger visitor/education and learning centre. The residential element of the proposal was therefore smaller in scale.

The differences between the two schemes are thus:

Approved scheme	Proposed Scheme
Apartment building for 30 units	Apartment building for 41 units
Not part of approved scheme	Fort Bovisand Cottages 6 in number
Not part of approved scheme	Quarry road cottages 3 in number
Not part of approved scheme	Fortifications and searchlight positions conservation
Variation to approved scheme	Quartermasters House (building 4) change to use designation and new build first floor
Casemates 00 – 09	0,01,02,03 Café. 04,05,06 – event space ,07,08 visitor centre
Casemates 09 – 23	15 residential units conversion of existing structure and new roof level build
Casemates 09 – 16	Change to use designation, increase in residential units and some increase in new build at roof level linked to Casemates 11- 13.

Essentially therefore there has been an increase in the residential accommodation on the site and a decrease in the amount of space dedicated to the visitor/education centre.

In planning policy terms the site lies in the countryside and does not fall within any defined development boundary. Proposals for development in such areas must be justified on essential agricultural or forestry grounds, however in this case the Fort complex exists and much of the work is in relation to conversion of the historic buildings. The policy which is more applicable to such proposals is thus the conversion of buildings in the countryside Policy DP16. This allows for conversions subject to a number of criteria. If a building is going to be converted the policy stipulates that employment use should be the first consideration. The applicant has submitted a viability scheme, which was carried out in 2014. It concludes that the use of the buildings on this site for employment or commercial/industrial uses is not a viable proposition. Another criteria for residential conversions is the fact that the conversion is to a building of architectural or historic merit. In this case there is clearly an important historic asset which will benefit from the conversion.

The scheme is also a mixed use scheme as opposed to fully residential as the dive centre and MOD uses are to remain, the Fort Bovisand Trusts office will be on site and there will be a visitor centre and a café/restaurant.

In this case the proposal includes some new build elements as described above, which are necessary in order to help fund the historic conversions. Particularly as the Heritage Lottery Fund which was added to the development scenarios for the previous approved scheme has now not been achieved. A viability statement has been submitted justifying this. As a result of the time lapse and the loss of the HLF fund the approved scheme would not be a viable scheme to bring forward.

However, an important consideration here is that the historic elements do in fact benefit from the enabling development put forward. A Programme of works has been submitted providing a timetable for the various stages of the work, which will need to be a part of a Section 106 agreement so as to ensure that the historic elements are developed in accordance with the wider planning consent.

Design:

A detailed Design and Access Statement has been provided in support of the proposal as well as a comprehensive Conservation Plan, which both provide a justification and philosophy for the proposed works.

Upper Fort: The works to the upper fort are primarily the addition of the lost floors on the two towers as well as the conversion of the towers and upper fort to residential. The proposals have not changed significantly from the approved proposal, with merely minor changes to the glazing/openings. The massing and form is very much based around the original towers. In terms of materials, the ethos is to highlight the existing and creating a strong identifiable language to the new proposed insertions.

The Design and Access statement describes in detail the tower detailing, which in essence is a similar stone facing to the towers but constructed differently so that there is a clear change between the old and the new. The size of the window openings allow the walls of the towers to be read as a solid mass. There are more windows in the current scheme because of window cills found during the excavation work. On the 3rd floor there is a long panoramic window below a stone cornice, which places the window into shadow to minimise the impact. A split in the wrapping walls allows for daylight into the main living space, the glazing is set well back from the front façade so as to minimise the impact of the glass on the Upper Fort. The 4th floor is a light weight curtain walling system which sits within a surrounding stone wall.

Conditions will need to be applied so as to receive samples of all of the materials prior to them being used.

Lower Fort:

Hill House: converted into a single residential unit, which was not part of the approved scheme.

The Quartermasters house is also proposed to be converted into a residential unit

The Trust offices are proposed to be in a converted building (V) which sits behind the casemates.

The visitor centre which is now reduced in scale from the previous approved scheme, now is located in casemates, 07 and 08 and buildings 02 and 03. The event space will be located in 04,05,06 ground floor.

The commercial diving unit will remain on the site as at present and as per the approved drawings – buildings 06 and 01.

The MOD also retain a commercial space on the site also as per the approved drawings, on the quayside.

Casemates/magazines: These will be converted into 15 residential units, the visitor centre and the café/restaurant, which will be located in the end of the block. A lightweight extension onto the roof of the casemates is proposed for the café. It is proposed as a steel construction, clad in metal, steel and glass. The design reflects the once utilitarian use of the site. This will be located in casemates 0, 00,01,02,03 and the upper floor new extension.

It is proposed to lower the road in front of the casemates as it is currently at a higher level than it once was and its current position contributes significantly to the damp experienced within the building.

New Build:

Apartment building: The apartment building steps down towards the casemates and the café which is located on the end of the casemates. It comprises 41 apartments. The building is curved in a concave manner into the hillside. It steps up the hillside from the quayside. As it rises the building length decreases.

The materials proposed are: A strong base is formed by using stone facing to the lower part of the building. There are 5 apartment floors above the base. The first and second floor are proposed as ashlar limestone so as to contrast with the rough stone of the base. Slate cladding is proposed for the 3rd and 4th floors and zinc for the 5th floor.

It is considered that a lot of effort has been put into the design and massing of this block so that it reflects the existing historic built form on the site, but also identifies itself as a 21st Century addition to the site.

Quarry Cottages: The Quarry cottages of which there are 7, sit above the proposed apartment building in an area which is currently level, in an otherwise steeply sloping cliff. They have an upside down model with bedrooms requiring smaller windows on the ground floor and the living spaces on the first floor. This allows for a more solid base element to the building and a more lightweight zinc cladding to the first floor. Green roofs are proposed to aid assimilation into the vegetation on the cliff slope. A retaining wall is proposed in front of the houses which will also be constructed in stone.

Fort Bovisand Cottages: The design of these cottages, which are set in closer proximity to the existing cottages at Bovisand, are a terrace of 6 which is set into the hillside. Garages are in the ground floor with living accommodation above. Pitched roofs to reflect those on the adjoining houses.

Energy Centre: A new energy centre is proposed on the land below the proposed Fort Bovisand Cottages.

In design terms the new build elements and the additions since the approved scheme have been well considered, in relation to the cliff side context, the historic assets on the site and the need to tell a story in terms of the new additions. It is considered that the proposal complies with the policies relating to Design in the South Hams Core Strategy; the development Policies DPD and also in relation to the emerging policies in the Joint Local Plan.

Landscape:

The site lies within the South Devon Area of Outstanding Natural Beauty (AONB) and as it is major development, paragraphs 115 and 116 in the National Planning Policy framework are relevant to the decision. In particular para. 116 makes reference to major developments and states that such developments within the AONB should be refused, except in exceptional circumstances, where it can be demonstrated they are in the public interest.

In this case the site is quite specific in that it has a number of nationally important listed buildings and a Scheduled Monument in situ. The site has not been used fully for a number of years. These assets have thus deteriorated somewhat and if a viable use is not found for them are likely to deteriorate further. As the supportive information describes in detail other uses have been considered for the site, but because of the need to repair the historic assets, the viability of the scheme has been an issue. Even the previous approval without the HLF money is now an unviable proposition. The NPPF asks 3 key questions; around the need for the development, i.e. the impact of permitting it, or refusing it upon the local economy; the cost of and scope for developing elsewhere, outside of the designated area and any detrimental impact on the landscape and recreational opportunities.

As discussed above the historic assets are in situ and those asset is deteriorating without being used, it cannot therefore be located elsewhere. It can also be argued that there is a need for the additional development in order to preserve and protect the historic buildings. Without the enabling development the historic buildings would not be preserved. The local economy is likely to benefit from the proposal, by attracting more people to the area; providing events and educational facilities for local schools and the local population. There will be an impact on the landscape, in terms of the new enabling development, however the new build has been designed so as to seek to minimise the impact on the landscape by setting the Quarry cottages into the hillside; the apartment block stepping up the hill so as to sit within the cliff side and the use of materials that both reflect the historic assets on the site, but also subtly indicate that they are a later addition.

It is considered that whilst great weight must be given to conserving landscape and scenic beauty in the AONB, and ordinarily major development should be refused, the retention and re use of nationally important historic assets as well as the ability to open up the area more proactively to the public are of great public benefit and so in this case it is an exceptional circumstance and as such the application should not be refused in this case.

On the more micro level, the proposal identifies specific areas of landscaping proposed in the scheme are as follows:

A new feature entrance to the site;

A new enhanced sunken courtyard social area, that will also form the future entrance to the visitors' centre - This is located in the area formerly known as the "killing trenches". The site is contained by large gunport walls. It is a sheltered area and also faces south, useable by residents and the public. It is proposed to be hard landscaped and retained by gabion baskets on one side which will use material from the site. It will have seating areas and formal planting beds (representing Tudor knots). Adjacent to this area is an area to be known as the triangular garden, which lies to the west of the sunken courtyard. It is an area currently hidden behind the gunport walls and is a very small scale space. It is accessed via two sets of steps. It is proposed to have a single tree located in the space with seating around in a triangular pattern.

A natural amphitheatre area overlooking the quayside with associated public realm - There are already some large stone blocks within this space which will be utilised in the proposed scheme. They already represent an amphitheatre shape, so will be used to enhance that feature. Access to building 6 is still required for the dive centre, which must be maintained, however the rest of the space indicates curved seating areas and provision of new steps into the top of the space with level access at the bottom of the space.

A variety of communal gardens relating to the restoration of the top fort buildings:

It is proposed to improve the area in front of the upper fort and between the two towers, which is currently in a relatively poor state of repair. The applicant is considering creating a trail and a series

of gardens in the ruins. The upper part of the fort is a place where it is proposed to create secret semi private gardens for the residents use.

A historic soft landscape trail.

It is proposed to utilise, timber and corten steel (which looks like rusty metal).

An LVIA was submitted in support of the proposal and concluded that the proposals were likely to have a moderate impact on landscape character and the visual landscape.

Ecology: Detailed surveys have taken place and mitigation opportunities have been proposed for birds bats and reptiles. A condition will be attached to the consent ensuring the mitigation works are implemented at the appropriate times and that a European Licence has been approved for the works in relation to the bats on site.

Neighbour amenity: There have been a number of representations from neighbouring properties concerned about a number of issues, which will be considered in turn.

Suitability of the access road: The Highway authority have raised no objection to the use of the road for the development proposed and whilst it is narrow, this in itself can often act as a traffic calming measure, ensuring speeds are kept down. It is accepted that the road in certain places is very close to the cliff, however the applicant is aware of this and has carried out a number of studies and also put together designs to stabilise and support the cliff along the stretch of road which is affected. This will be the subject of a further application and an Environmental Assessment. A condition will be placed on the consent to prevent work starting until the road works have been completed.

Concern about noise and disturbance: It is accepted that there will be an increase in noise particularly during the construction phases as is the case with any development site and once the development is occupied there will be more movements to and from the site, so there will be an impact on the existing residents. However that impact has to be balanced against the potential benefits of securing the long terms future of the historic assets in Fort Bovisand.

Lack of adequate parking: The Highway Authority are satisfied with the number of parking spaces being provided, ensuring there are adequate spaces for the residential accommodation and visitors. Some concern was expressed at the lack of parking for the dive school. There are a number of spaces on the quayside, which for most of the time will be available for their use. There may be some days (as suggested by the Transport Addendum, Sunday's in the middle of the summer) when parking may be an issue. A development of this nature and extent should not be refused on the basis of a potential parking for a few days in the summer months.

Highways/Access:

The Highway Authority are satisfied with the proposals, provided conditions are added to the consent. The letters of objection received express concerns about the access road and the Parish Council comments suggest that they are happy provided the traffic concerns are resolved.

The transport addendum submitted with the proposal provides an update on the transport statement submitted with the previous approval, in relation to the changes in the application. It states that the traffic movements as a result of this proposal will be less than for the consented scheme.

For the current proposal of 81 residential units, 109 parking spaces are proposed. 13 visitor spaces are provided for the Visitor centre, including 2 disabled bays, plus an additional 10 shared spaces. The café is expected to generate 4 members of staff; a space on site for offices and teaching space. The commercial diving centre also remains. A total of 12 parking spaces are for the use of the MOD, the dive centre and staff, 2 dedicated to staff and the rest shared for the staff and visitors.

In terms of trips to and from the site, the addendum provides a comparison of visitor trips between the consented scheme and the current proposal. The previous proposal had a much larger visitor and education facility than is currently proposed. The number of visitors to the site for the current scheme, are half or more than half of what was proposed in the consented scheme. Visitor trips are thus

significantly reduced. Eleven less people are proposed to be working at the site as a result of the changes.

The residential units have however gone up in numbers from 52 to 81, an increase of 29 residential units. An increase of 18 two way peak hour trips is forecast.

The number of trips to and from the site is thus considerably less for visitors and 9 more trips morning and evening for the residential. This is not a number which is of concern to the Highway Authority.

Other matters:

Natural England in their comments raise no objection but ask that mitigation in terms of a financial contribution to the Tamar Estuaries Consultative Forum to mitigate potential increases in recreational pressure arising from the development and the submission of a construction Management. A condition is attached to ask for a construction management plan. A response has been received from the Tamar AONB partnership indicating that as the site does not lie within the Tamar Valley AONB, they would not wish to make any comment as the site is not within the designated area. As this is the case and there is no additional money in the scheme to generate any financial contribution, and provided a construction management plan is submitted, it is considered that the impact on the natural environment is adequately catered for in the conditions that are proposed.

In addition, Devon County Council Education Department have requested a financial contribution towards educational requirements that may be needed as a result of the development proposal. Whilst ordinarily such a contribution would be sought from the applicant, because of the very finely balanced relationship between the provision of enabling development and the works required to the historic elements of the proposed redevelopment there is insufficient finance available to provide for the normal requirements of such a development. It is considered that the benefit of preserving these buildings and bringing them back into a viable and long term use outweighs the need to require other financial contributions from the proposal.

Planning Balance:

There are clearly local concerns about the impact of the development proposed and the number of residential units included. And indeed the Parish Council have stated that they object unless the scheme is amended to resolve traffic issues. What must be borne in mind though is the fact that the Highway Authority do not consider that there are any traffic issues with the development proposed. The applicants will be stabilising the cliffs and doing some work therefore to ensure the safety and stability of the access road.

The proposals will secure the future of the historic buildings at the Fort and Historic England are supportive of the fact that the enabling development is necessary so as to enable the preservation of these important historic buildings to take place.

Whilst there will be some impact on the local residents, it is considered that once complete the impact will be minimal and the benefits of securing the conservation of those buildings outweighs the short term impact on the local resident population.

The site also benefits from an extant planning approval which could be implemented anyway. It is therefore recommended for approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

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 relevant development plan policies are set out below:

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment
CS10 Nature Conservation
CS11 Climate Change

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP4 Sustainable Construction
DP5 Conservation and Wildlife
DP6 Historic Environment
DP7 Transport, Access & Parking
DP15 Development in the Countryside
DP16 Conversion and Reuse of Existing Buildings in the Countryside

South Hams Local Plan (please delete as necessary)

SHDC 1 Development Boundaries

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

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

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

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)

SPT1 Delivering sustainable development
SPT3 Provision for new homes
SPT13 European Protected Sites – mitigation of recreational impacts from development
TTV31 Development in the Countryside
DEV1 Protecting amenity and the environment
DEV2 Air, water, soil, noise and land
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV21 Conserving the historic environment

DEV22 Development affecting the historic environment
DEV24 Landscape character
DEV27 Nationally protected landscapes
DEV28 Protecting and enhancing biodiversity and geological conservation
DEV30 Trees, woodlands and hedgerows
DEV31 Specific provisions relating to transport
DEV32 Meeting the community infrastructure needs of new homes
DEV33 Waste management
DEV34 Delivering low carbon development
DEV35 Renewable and low carbon energy (including heat)
DEV36 Community energy
DEV37 Managing flood risk and Water Quality Impacts
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Proposed Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawings and documents set out in the attached Schedule.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to their installation details and/or samples of all facing materials and roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those details/samples as approved.

Reason: In the interests of character and visual amenity.

4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Planning Authority.

Reason: To ensure that an appropriate record is made of archaeological evidence that may be affected by the development.

5. No part of the development shall be occupied or used until a landscaping scheme for all public and private areas has been submitted to and approved by the Local Planning Authority, indicating planting, hard surfacing, maintenance of existing cover and any boundary treatments for the proposed development. The hard landscaping elements of the scheme submitted shall be fully implemented prior to occupation of any residential units in accordance with an agreed phasing of works. All planting shall be undertaken in the planting season following the completion of each phase of the development at the latest. The plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

6. Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A site investigation scheme, based on the Phase 1 Contaminated Land Assessment submitted with the application to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

2. The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The initial contaminated land assessment has identified various sources of contamination on the site that need investigating further. The condition covers the full range of measures that may be needed depending on the level of risk at the site. If the LPA is satisfied with the information submitted with the application they can decide to delete any of elements 1 to 3 no longer required. The LPA may still decide to use the whole condition as this would allow them to declare the information no longer satisfactory and require more or better quality information if any problems are encountered in future.

7. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include, where relevant, a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason: Without this condition, the proposed development on the site may pose an unacceptable risk to the environment. This is listed as a separate condition as it gives the LPA the option to choose a later control point: i.e. prior to occupation, rather than commencement of the development for the main phase of the remedial works.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

9. Prior to commencement of any part of the construction phases of the development (including demolition but excluding preparatory works such as localised repairs to historic fabric, archaeology etc) the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;

- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 08.00am and 6.00pm Mondays to Fridays, 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the Planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site (k) details of wheel washing facilities and obligations

(l) The proposed route of all construction traffic exceeding 7.5 tonnes.

(m) Details of the amount and location of construction worker parking. (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;

No mud, stones, water or debris shall be deposited on the public highway at any time.

The CMP shall be strictly adhered to during the construction of the new development hereby permitted, unless variation is approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, including preventing inconvenient obstruction and delays to public transport and service vehicles and to emergency vehicles.

10. Prior to the commencement of the construction phase of the development hereby approved, (including demolition but excluding preparatory works such as localised repairs to historic fabric, archaeology, site security, access arrangements and basic infrastructure etc), details of the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority and the approved foul water system shall be installed prior to occupation of the dwelling(s). Following its installation the approved scheme shall be permanently retained and maintained thereafter.

Reason: To safeguard the amenities of the locality and to ensure that the development is adequately drained.

11. Prior to commencement of the new accommodation block a detailed schedule of repairs to the quay and harbour wall shall be agreed in writing with the local planning authority. The agreed works shall be fully completed to the satisfaction of the local planning authority prior to the occupation of any part of the approved development. The harbour wall and quay shall thereafter be maintained in accordance with the agreed details.

Reason: To ensure protection of the site from wave action and preservation of the heritage assets.

12. Prior to the use or occupation of any part of the development a detailed plan for public safety precautions/procedures/actions to be implemented in a flood or storm event shall be agreed in writing with the local planning authority. The action plan shall be reviewed and updated as appropriate in accordance with changing guidance from statutory bodies.

Reason: In the interests of public safety and the safety of residents.

13. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Surface Water and Foul Water Drainage Assessment (job No. 14172; dated May 2017; Appendix K1 of the Fort Bovisand Regeneration Project), Flood Risk Assessment (job No. 14172; Rev. B; dated May 2017) Proposed Drainage Layout sheet 01 of 04 (drawing No. 200; Rev. P4; dated September 2015),

Proposed Drainage Layout sheet 02 of 04 (drawing No. 201; Rev. P4; dated September 2015), Proposed Drainage Layout Sheet 03 of 04 (drawing No. 202; Rev. P4; dated September 2015), Proposed Drainage Layout Sheet 04 of 04 (drawing No. 203; Rev. P4; dated September 2015), MicroDrainage model outputs (File 14172-MD Summary Rev. A), Flood Flow Exceedance Path Sheet 1 of 4 (drawing No. 500; Rev. P5; dated September 2015), Flood Flow Exceedance Path Sheet 2 of 4 (drawing No. 501; Rev. P5; dated September 2015), Flood Flow Exceedance Path Sheet 3 of 4 (drawing No. 502; Rev. P5; dated September 2015), Flood Flow Exceedance Path Sheet 4 of 4 (drawing No. 503; Rev. P5; dated September 2015).

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

14. No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

15. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

16. Prior to first occupation the applicant must provide to the local planning authority a revised emergency response plan based on the latest Devonport Off-site Emergency Plan. This plan is to be agreed in writing by the local planning authority and implemented in perpetuity.

Reason: In the interests of public safety.

17. A biodiversity and habitat protection scheme shall be agreed in writing with the local planning authority prior to commencement. These works agreed and additional biodiversity enhancement works shall be enacted within a timescale agreed in writing with the local planning authority.

Reason: To secure the protection and enhancement of habitats and deliver biodiversity benefits to the site.

18. Prior to implementation the planting scheme for green roofing shall be submitted to and agreed in writing by the local planning authority. The planting shall then be established and thereafter maintained in accordance with the agreed specification.

Reason: In the interests of visual amenity and biodiversity.

19. All works shall be carried out on site in accordance with the Unexploded Ordnance Threat Assessment Report unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of the health and safety and future welfare of current and future users of the site.

20. No part of the development shall be used until a scheme for external lighting (if any) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the purpose, position, type, direction, luminance, cowl, time of operation and use of motion sensors for all external lights to the buildings and surrounding land. Upon the commencement of the use the external lighting shall accord strictly with the approved details.

Reason: To safeguard the appearance of the locality, the amenities of residents and in the interests of wildlife.

21. Prior to commencement of development, a Bat Mitigation Strategy shall be submitted to and agreed in writing by the LPA, detailing the location and requirements of bat roosts, their access points and corresponding external requirements including unlit corridors. This should include a phasing plan showing how bat roosts will be available at all times, and also updated plans/drawings reflecting the locations and requirements of the bat roosts and associated features. The identified and planned roosts and associated features shall be thereafter maintained as agreed.

Reason: In the interests of protected species.

22. Prior to commencement of development, a Wildlife Lighting Plan shall be submitted to the LPA, reflecting the dark corridors required for bats (noting the particular requirements of the light-sensitive species recorded on site) and other species. This should be endorsed in writing by a suitably qualified ecologist. All lighting on site, both during construction and ongoing, shall then accord with the agreed plan unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protected species.

23. Prior to commencement of development, a Reptile Method Statement (RMS) and Mitigation Strategy shall be submitted to and agreed in writing by the Local Planning Authority. All recommended works shall then be carried out in accordance with the RMS.

Reason: In the interests of protected species.

24. Prior to commencement of development, a Landscape Ecological Management Plan (LEMP) shall be submitted to and agreed in writing by the local planning authority, incorporating requirements for birds, bats, reptiles, and other protected species as advised by the various ecology reports. This should contain details of specific provisions (e.g. locations and type of bird nesting boxes/provision, hibernacula), habitat creation and planting schedules, and ongoing management and maintenance arrangements. All recommendations contained in the agreed LEMP shall be enacted and maintained unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of protected species and biodiversity.

25. Prior to occupation or use of any part of the site, details of the proposed interpretation boards, and residents leaflet shall be submitted to and agreed in writing by the local planning authority. (NB – this should be formulated in consultation with the Tamar Estuaries Consultative Forum). The boards and leaflets shall then be displayed, maintained and distributed in accordance with an agreed timescale with the boards being in place prior to opening of the site to public access.

Reason: To inform the public and residents of the special interest of the site.

26. Prior to commencement of works, a Construction and Ecology Management Plan (CEMP) shall be submitted to and agreed in writing by the local planning authority, incorporating requirements for protection of habitats and species during the operational phase, including timings, no-go areas, and Ecological Clerk of Works. The requirements of the CEMP shall then be fully enacted.

Reason: In the interests of wildlife and biodiversity.

27. Works to the buildings on site shall not in any circumstances commence unless the LPA has been provided with either:

a) evidence that a European Protected Species Licence for bats has been issued by Natural England authorising the works to go ahead; or

b) a statement in writing from Natural England or a suitably qualified ecologist to the effect that they do not consider that the works will require a licence.

Reason: In the interests of protected species.

28. Prior to the commencement of development, details and assessments of all existing and new buildings included in the development hereby permitted, using dynamic assessment methods shall be submitted demonstrating the compatibility of the structures with the following dynamic loadings

Full reflected pressure = 9.8kPa
Full Reflected Impulse = 1270kPa-ms
Incident Pressure = 4.8kPa
Incident Impulse = 705kPa –ms
Shock Front Velocity = 347 m/s
Peak Dynamic Pressure = 0.0805Kpa
Peak Particle Velocity = 11.28 m/s

Reason: The site of the proposed development is located within the outer statutory explosives safeguarding zone surrounding Plymouth Sound. All buildings within this zone should be non-vulnerable and of robust construction and design, so that in the event of an explosive incident, nearby buildings will not collapse or sustain damage that will cause critical injury to the occupants of those buildings.

29. A finalised version of the Sustainable Transport Strategy submitted in conjunction with this application shall be implemented from the commencement of use of the visitor centre and shall thereafter be complied with to the satisfaction of the Local Planning Authority.

Reason: To reduce the number of car borne trips to Fort Bovisand and encourage sustainable transport modes.

30. Prior to the commencement of development works for the stabilisation of the cliffs along the access road shall be completed to the satisfaction of the LPA.

Reason: To ensure the road is able to accommodate the heavy vehicles associated with the development proposed.

31.

INFORMATIVES

1. This permission is to be read in conjunction with the Section 106 Obligation dated 23rd March 2016 between South Hams District Council and The Fort Bovisand Developments Limited.

2. You should note that certain wildlife habitats and species are subject to statutory protection under the Wildlife and Countryside Act 1981 (as amended) and/or the Habitats Regulations 1994. It is a criminal offence to breach the provisions of these legal constraints and if your development impacts upon such sites or species you are advised to take advice from a competent ecologist who has experience in the habitats/species involved and, as necessary, any relevant licenses from Natural England.

3. The MOD approved design methods are incorporated in Technical Manual (TM) TM5-1300 'Structures to resist the effects of accidental explosions'. Alternative appropriate sources which would be generally acceptable are: Blast Effects on Buildings, 2nd Edition, David Cormie, Geoff Mays and Peter Smith, Thomas Telford, 2009. ISBN 9780727735218. Blast and Ballistic Loading of Structures, PD Smith & JG Hetherington, Butterworth Heinemann, 1994. ISBN 0 7506 2024 2. The Centre for the Protection of National Infrastructure (CPNI) website may also provide a useful source of information. See <http://www.cpni.gov.uk/> for details.

4. This authority has a pro-active approach to the delivery of development and early pre-application engagement is always encouraged. As the Local Planning Authority we have endeavoured to work proactively and positively with the applicant to ensure that all relevant planning considerations have

been appropriately addressed. This approach accords with the National Planning Policy Framework and with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.

5. The responsibility for ensuring compliance with the terms of the approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details can render the development unauthorised and vulnerable to enforcement action.

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS

SCHEDULE OF PLANS. FORT BOVISAND

General Plans:

FB1-ADP-SP-XX-DR-A-010-S1-P11 SITE LOCATION PLAN

FB1-ADP-SP-ZZ-DR-A-120 – S1 –P3 PROPOSED SITE LOCATION PLAN

FB1-ADP-SP-ZZ-DR-A-121- S1- P9 PROPOSED SITE PLAN

FB1-ADP-SP-ZZ-DR-A-122 – P4 PROPOSED SITE PLAN

FB1-ADP-SP-XX-DR-A-123 – S1 - P PROPOSED CAR PARKING PLAN

FB1-ADP-SP-XX-DR-A-142 PROPOSED SERVICES LOCATION

FB1-ADP-SP-XX-DR-A-143-S1 –P2 PROPOSED SERVICES SECTION

FB1-ADP-SP-XX-DR-A-144-S1-P3 PROPOSED SERVICES ELEVATION

Upper Fort:

FB1-ADP-UF-XX-DR-A-210- S1 – P4 PROPOSED FLOOR PLAN 00

FB1-ADP-UF-XX-DR-A-211- S1 – P4 PROPOSED FLOOR PLAN 01

FB1-ADP-UF-XX-DR-A-212 – S1 – P5 PROPOSED FLOOR PLAN 02
FB1-ADP-UF-XX-DR-A-213- S1 – P4 PROPOSED FLOOR PLAN -01
FB1-ADP-UF-XX-DR-A-214- S1 – P5 PROPOSED ROOF PLAN
FB1-ADP-UF-XX-DR-A-215- S1 – P7 PROPOSED ELEVATIONS
FB1-ADP-UF-XX-DR-A-216-S1 –P7 PROPOSED ELEVATIONS
FB1-ADP-UF-XX-DR-A-217- S1- P5 PROPOSED SECTION UPPER FORT
FB1-ADP-UF-XX-DR-A-218 – S1-P1 PROPOSED SECTION UPPER FORT
FB1-ADP-UF-XX-DR-A-220 – S1 – P5 PROPOSED EAST TOWER - PLANS
FB1-ADP-UF-XX-DR-A-221 – S1 – P6 PROPOSED WEST TOWER - PLANS
FB1-ADP-UF-XX-DR-A-222- S1- P7 PROPOSED EAST TOWER ELEVATIONS
FB1-ADP-UF-XX-DR-A-223- S1 –P7 PROPOSED WEST TOWER ELEVATIONS
FB1-ADP-UF-XX-DR-A-224- S1- P7 HISTORIC COMPARISON VIEWS WITH CURRENT APPROVAL
FB1-ADP-UF-XX-DR-A-225- S1- P5 EAST TOWER VIEWS
FB1-ADP-UF-XX-DR-A-226 – S1 –P5 WEST TOWER VIEWS
FB1-ADP-UF-XX-DR-A-230-S1 –P5 DEMOLITION FLOOR PLAN 00
FB1-ADP-UF-XX-DR-A-231 –S1 –P5 DEMOLITION FLOOR PLAN 01
FB1-ADP-UF-XX-DR-A-232- S1 –P6 DEMOLITION FLOOR PLAN 02
FB1-ADP-UF-XX-DR-A-233- S1- P5 DEMOLITION FLOOR PLAN -01
FB1-ADP-UF-XX-DR-A-234- S1-P6 DEMOLITION ROOF PLAN
FB1-ADP-UF-XX-DR-A-235-S1 –P5 DEMOLITION ELEVATIONS
FB1-ADP-UF-XX-DR-A-236 –S1 –P5 DEMOLITION ELEVATION
FB1-ADP-UF-XX-DR-A-240-S1 –P4 UPPER FORT - TYPICAL ENVELOPE DETAILS
FB1-ADP-UF-XX-DR-A-241- S1- P4 UPPER FORT - TYPICAL DETAIL SECTION-LEVEL1
FB1-ADP-UF-XX-DR-A-242-S1- P3 UPPER FORT - TYPICAL WINDOW DETAIL

Proposed lower Fort:

FB1 – ADP- LF-XX-DR-A-320 - S1- P5 PROPOSED FLOOR PLAN BASEMENT
FB1 – ADP- LF-XX-DR-A- 321 – S1 –P5 PROPOSED PLAN 00
FB1 – ADP- LF-XX-DR-A – 324- S1- P7 PROPOSED FLOOR PLAN ROOF
FB1 – ADP- LF-XX-DR-A – 325 –S1-P7 PROPOSED ELEVATIONS
FB1 – ADP- LF-XX-DR-A - 326 – S1 – P6 PROPOSED CASEMATES 1-7 PLANS
FB1 – ADP- LF-XX-DR-A - 327 – S1 – P7 PROPOSED CASEMATES 1-7 ELEVATIONS

FB1 – ADP- LF-XX-DR-A – 328 – S1 – P5 PROPOSED CASEMATES PLANS 8-16
FB1 – ADP- LF-XX-DR-A – 329 – S1 – P6 PROPOSED CASEMATES 8-16 ELEVATIONS
FB1 – ADP- LF-XX-DR-A – 330 – S1 – P5 PROPOSED CASEMATES PLANS 17 – 23
FB1 – ADP- LF-XX-DR-A – 331 –S1 –P6 PROPOSED CASEMATES 17-23 ELEVATIONS
FB1 – ADP- LF-XX-DR-A – 332 – S1 – P7 PROPOSED PLAN CAFÉ
FB1 – ADP- LF-XX-DR-A – 333 – S1 – P5 EXISTING AND PROPOSED BASEMENT 1-7
FB1 – ADP- LF-XX-DR-A – 334 – S1 – P5 EXISITNG AND PROPOSED BASEMENT 8-16
FB1 – ADP- LF-XX-DR-A – 335 – S1 – P5 EXISITING AND PROPOSED BASEMENT 17 - 23
FB1 – ADP- LF-XX-DR-A – 336 – S1 – P5 LOWER FORT TYPICAL SECTION A-P4
FB1 – ADP- LF-XX-DR-A – 337 – S1 – P4 LOWER FORT SECTION B
FB1 – ADP- LF-XX-DR-A – 338 – S1 – P4 LOWER FORT TYPICAL SECTION C
FB1 – ADP- LF-XX-DR-A – 340 – S1 – P5 DEMOLITION FLOOR PLAN MAGAZINE 1- 16
FB1 – ADP- LF-XX-DR-A – 341 – S1 – P5 – DEMOLITION FLOOR PLAN MAGAZINE 17- 23
FB1 – ADP- LF-XX-DR-A – 342- S1 – P5 – DEMOLITION FLOOR PLAN CASEMATES 1-7
FB1 – ADP- LF-XX-DR-A – 343 – S1 – P5 – DEMOLITION FLOOR PLANS CASEMATES 8-16
FB1 – ADP- LF-XX-DR-A – 344 – S1 – P5 – DEMOLITION FLOOR PLANS CASEMATES 17- 23
FB1 – ADP- LF-XX-DR-A – 345 – S1 – P5 DEMOLITION ELEVATIONS CASEMATES 1-7
FB1 – ADP- LF-XX-DR-A – 347 – S1 – P5 DEMOLITION ELEVATIONS CASEMATES 17- 23
FB1 – ADP- LF-XX-DR-A – 350 – S1 – P5 TYPICAL DETAILS LOWER FORT
FB1 – ADP- LF-XX-DR-A – 351 – S1 – P5 TYPICAL DETAILS LOWER FORT
FB1 – ADP- LF-XX-DR-A – 352 – S1 – P5 TYPICAL DETAILS LOWER FORT

Lower Fort WW II tower:

FB1- ADP-TW-XX-DR-A-322-S1-P7 LOWER FORT - PROPOSED WW2 EAST TOWER
FB1- ADP-TW-XX-DR A-323- S1 –P7 LOWER FORT - PROPOSED WW2 WEST TOWER
FB1- ADP-TW-XX-DR A-339- S1 – P4 LOWER FORT - PROPOSED ROOFTOP INFILL
FB1- ADP-TW-XX-DR A-348 – S1 – P5 WW2 WEST TOWER – PROPOSED DEMOLITION
FB1- ADP-TW-XX-DR A-349 – S1 –P3 WW2 EAST TOWER – PROPOSED DEMOLITION

Accommodation Block:

FB1-ADP-AB-00-DR A-510-S1-P8 PROPOSED FLOOR PLAN - 00 8 09.06.17
FB1-ADP-AB-01-DR-A-511-S1-P9 PROPOSED FLOOR PLAN - 01 9 17.07.17

FB1-ADP-AB-02-DR-A-512-S1-P7 PROPOSED FLOOR PLAN - 02
FB1-ADP-AB-03-DR-A-513-S1-P7 PROPOSED FLOOR PLAN - 03
FB1-ADP-AB-04-DR-A-514-S1-P7 PROPOSED FLOOR PLAN - 04
FB1-ADP-AB-05-DR-A-515-S1-P7 PROPOSED FLOOR PLAN - 05
FB1-ADP-AB-XX-DR-A-516-S1-P10 PROPOSED ELEVATIONS - SOUTH ELEVATIONS
FB1-ADP-AB-XX-DR-A-517-S1-P8 PROPOSED ELEVATIONS - NORTH ELEVATIONS
FB1-ADP-AB-XX-DR-A-518-S1-P6 PROPOSED SECTION
FB1-ADP-AB-R1-DR-A-520-S1-P3 PROPOSED ROOF PLAN
FB1-ADP-AB-XX-DR-A-521-S1- P2 CURRENT APPROVAL & PROPOSED
FB1-ADP-AB-XX-DR-A-522-S1-P2 PROPOSED ELEVATIONS - WEST ELEVATIONS
FB1-ADP-AB-XX- DR- A-523-S1-P1 PROPOSED ELEVATIONS - EAST ELEVATIONS
FB1-ADP-AB-DR - A-530- S1- P7 DEMOLITION PLANS
FB1-ADP-AB-DR - A-531 – S1- P3 DEMOLITION ELEVATIONS

Fort Bovisand Cottages:

FB1- ADP-CC-XX-DR-A-410-S1-P10 PROPOSED FIRST AND SECOND FLOOR PLAN
FB1- ADP-CC-XX-DR-A-411-S1-P11 PROPOSED ROOF AND GROUND FLOOR PLAN
FB1- ADP-CC-XX-DR-A 412- S1- P13 PROPOSED ELEVATIONS
FB1- ADP-CC-XX-DR-A-413- S1 –P11 PROPOSED SECTION AND 3D VIEW

Quarry Road cottages:

FB1- ADP- QH-XX-DR-A701 – S1 – P8 PROPOSED FLOOR PLANS & ROOF PLAN
FB1- ADP- QH-XX-DR-A701 –S1-P10 PROPOSED ELEVATIONS
FB1- ADP- QH-XX-DR-A701 – S1 – P8 PROPOSED SECTION

Ancillary Buildings:

FB1-ADP-AN-XX-DR – A-801 – S1 – P6 PROPOSED BUILDING1
FB1-ADP-AN-XX-DR – A-811 - S1 - P6 PROPOSED BUILDING 2 & 3
FB1-ADP-AN-XX-DR – A – 821 – S1 – P6 PROPOSED BUILDING 4
FB1-ADP-AN-XX-DR – A – 822 – S1 – P3 DEMOLITION BUILDING 4
FB1-ADP-AN-XX-DR - A - 831 – S1 – P6 PROPOSED BUILDIMGS 5 & 6
FB1-ADP-AN-XX-DR – A - 841 – S1 – P6 PROPOSED HILL HOUSE

FB1-ADP-AN-XX-DR – A - 842 – S1 – P5 DEMOLITION HILL HOUSE

FB1-ADP-AN-XX-DR – A- 901 – S1- P5 PROPOSED BUILDING 7

FB1-ADP-AN-XX-DR – A – 911 – S1 – P6 PROPOSED BUILDING 8 &9

Quayside plans

FB1-ADP-Q-XX-DR -A601 – S1 – P8 PROPOSED PLANS & ELEVATIONS

FB –ADP-Q-XX-DR -A602 – S1 – P2 DEMOLITION PLANS & ELEVATIONS

Reports

2012s3663 MBA Consulting _ Fort Bovisand Wave Overtopping Final Report dated May 2017

Fort Bovisand Appendix Document K1 Surface Water and Foul Water Drainage Assessment dated May 2017

14172 Structural Engineering Statement, dated September 2015, updated REV A May 2017

A4A –CMP Appendix A Condition Survey Part 1, dated December 2013

A4A –CMP Appendix A Condition Survey Part 2, dated Rev. A, Date 15.01.2014

A4A –CMP Appendix A Condition Survey Part 3, dated Revision A , 17/01/2014

A4B- CMP Appendix B Structural Condition Report, dated December 2013

A4C –CMP Appendix C Ironwork Survey dated December 2013

A4D –CMP Paint Research Report, dated Feb 2014

A4E – CMP Appendix E Timber Assessment, dated January 2014

A4F – CMP Appendix F Preliminary Ecological and initial Bat Survey, dated January 2014

A4G – CMP Appendix G Access Audit, dated December 2013

A-CMP Appendix A Volume 1 Conservation Management Plan, dated March 2015

A-CMP Appendix A Volume 2 Zones 1-4, Conservation Management Plan, dated March 2015

A-CMP Appendix A Volume 2 Zones 5-11, Conservation Management Plan, dated March 2015

A-CMP Appendix 3, Conservation management Plan, dated March 2015

B3- Geotechnical Site Investigation Report ptB, dated 23/3/15

B3 – Geotechnical Site Investigation Report ptC, dated various dates in April and May 2015

B7C 2017 06 03 Preliminary Condition Assessment Pier, dated 30 June 2017

C1-Stabilisation Works – Lower Fort Part 1 reduced ptA, dated July 2017

C1 Stabilisation Works- Upper Fort Part 1 reduced ptB, dated July 2017

C2- Stabilisation works- Upper Fort- part 2, dated

C3 Stabilisation works – pier and Ancillary – Part 3, dated

Flood flow 14172-500 series P5

Landscape plans:

LFB1_ADP-XX-00-DR-L-1900(1)

LFB1_ADP-XX-00-DR-L-1900

LFB1_ADP-XX-00-DR-L-1901

LFB1_ADP-XX-00-DR-L-1902

LFB1_ADP-XX-00-DR-L-1903

LFB1_ADP-XX-00-DR-L-1904

Design and Access Statement

E1- Market Assessments – Visitor Attraction, dated July 2014

E2 – Hotel Market Assessment and Viability Report

E3 – Market Assessments – Commercial Use, dated July 2014

E4 – Commercial Feasibility Report

E5 – Market Assessments – Activity Holidays, dated July 2014

Floydconsult moisture and drying report, Fort Bovisand, with Addendum 100417, dated September 2015

Fort Bovisand Planning Statement dated 17/07/17

G2 Aboricultural Survey dated September 2015

H1 NVC Habitat Survey October 2014

H2 Fort Bovisand Bat Report 2017 REV01, dated February 2017

H3 Fort Bovisand Breeding Bird Updated survey Report 2016 REV02, dated September 2015

H4 Reptile Survey, dated June 2014

H5 Fort Bovisand Mitigation Strategy REV02 for bats, birds and reptiles, dated July 2017

I.1 Detailed Unexploded Ordnance Threat Assessment Report and Appendices 1 and 2 dated 8th January 2015

I2_Fort Bovisand Asbestos Register, REV4, surveys in 2014, report dated July 2017

Landscape and Visual Impact Assessment – LFB1_09June 2017

Northern Cut Calculation document, dated 07/07/17

Transport Addendum to Fort Bovisand FINAL for issue 01-5; issue 01-6

Pages 23 – end from 14172 Fort Bovisand Redevelopment FRA Rev B signed reduced -2

Proposed Accommodation Schedule, dated 18/7/17

REP_1005916_5A-RI_20150916_REV1- Planning Submission Acoustic Report, dated September 2015

REP-0307725-SS-150522-Daylighting Assessment REV P5, dated August 2015

RP6605 Fort Bovisand Photo Sheet

Sea Cliff Remedial Works Preliminary Design Report, including parts A, B, C, D, E, F dated June 2017

Fort Bovisand Regeneration Project Visual Appraisal Survey of Existing Structures, dated September 2015

Stage 1 Paged from Casemate Interpretive Layout ST02 (updated) – 2

Stage2 Paged from Casemate Interpretive Layout ST02

0307662-HL-XX-XX-DR-E-630-0001 – External Lighting P1 , dated May 2017

RRGL-RP6169-D1A-R1 Monitoring Areas

Drainage Layouts 14172-200 series P3, dated September 2015

ADP –SP-XX-DR-A-123 REV S1-P12 Proposed Car Parking Layout

RP6169 Slope Monitoring Areas All V2.

B3- Geotechnical Site Investigation Report ptA, ptD, dated June 2015

B7A Pier Structure December 2015

B7B Pier Structures August 2016

B2 Cliff Assessment Report June 2014

14172 Fort Bovisand Redevelopment SW and FWAssessment Appendices A-D

14172 Fort Bovisand Redevelopment SW and FW Assessment Appendix E reduced to a

14172 Proposed Structural Opening Up works, dated February 2015

14172 Stabilisation Works Schedule RevB, dated 15th June 2015

RP6605 – Bovisand Monitoring April 2017

Environmental Statement

Environmental Statement REV4, dated June 2017

Non- technical Summary Rev02, dated June 2017

Appendix 14 Extreme Loadings dated 26th May 2017

