

# Public Document Pack



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16 October 2013

## PLANNING COMMITTEE

Thursday 24 October 2013  
4pm  
Council House, Plymouth (Next to the Civic Centre)

### **Members:**

Councillor Stevens, Chair  
Councillor Tuohy, Vice Chair  
Councillors Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, John Smith, Stark,  
Jon Taylor and Wheeler.

Members are invited to attend the above meeting to consider the items of business overleaf.

This meeting will be broadcast live to the internet and will be capable of subsequent repeated viewing. By entering the Council Chamber and during the course of the meeting, Councillors are consenting to being filmed and to the use of those recordings for webcasting.

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Chief Executive

# PLANNING COMMITTEE

## AGENDA

### PART I – PUBLIC MEETING

#### 1. APOLOGIES

To receive apologies for non-attendance submitted by Committee Members.

#### 2. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this Agenda.

#### 3. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

#### 4. QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chair will receive and respond to questions from members of the public submitted in accordance with the Council's procedures. Questions shall not normally exceed 50 words in length and the total length of time allowed for public questions shall not exceed 10 minutes. Any question not answered within the total time allowed shall be the subject of a written response.

#### 5. PLANNING APPLICATION FOR CONSIDERATION

The Assistant Director for Planning Services will submit a schedule asking Members to consider Applications, Development proposals by Local Authorities and statutory consultations under the Town and Country Planning Act 1990 and the Planning (Listed Building and Conservation Areas) Act 1990. Members of the Committee are requested to refer to the attached planning application guidance.

##### 5.1. LAND AT SEATON NEIGHBOURHOOD, PLYMOUTH, (Pages 1 - 76) 12/02027/OUT

Applicant:	KDR (Forder Valley) Ltd
Ward:	Budshead
Recommendation:	Grant Conditionally Subject to satisfactory completion of the Section 106 Obligation and the removal of the Highways Agency Holding Direction (Article 25 Town and Country Planning (Development Management Procedure) (England) Order 2010). Delegated Authority is sought to refuse the planning application if the S106 Obligation is not signed by the 31 January 2014.

## **6. EXEMPT BUSINESS**

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

## **PART II (PRIVATE MEETING)**

### **AGENDA**

#### **MEMBERS OF THE PUBLIC TO NOTE**

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

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## PLANNING APPLICATION REPORT



**ITEM: 01**

**Application Number:** 12/02027/OUT

**Applicant:** KDR (Forder Valley) Ltd

**Description of Application:** Outline application (all matters reserved) for a residential led mix of uses on 32.07 hectares of land including up to 873 dwellings (2, 3, 4 bedroom houses, 1, 2 bedroom flats); 8,000 sq m of business space (use class B1); 1000 sq m of non-residential institutions (use class D1); 2,000 sq m of commercial floor space to include a mix of shops (use class A1), financial and professional services (use class A2), restaurants, cafes (use class A3), drinking establishments (use class A4) hot food takeaways (use class A5) construction of a new link road and bridge across Forder Valley; Combined with a full application for the change of use of 38.67 hectares of agricultural land to public open space.

**Type of Application:** Outline Application

**Site Address:** LAND AT SEATON NEIGHBOURHOOD PLYMOUTH

**Ward:** Budshead

**Valid Date of Application:** 09/11/2012

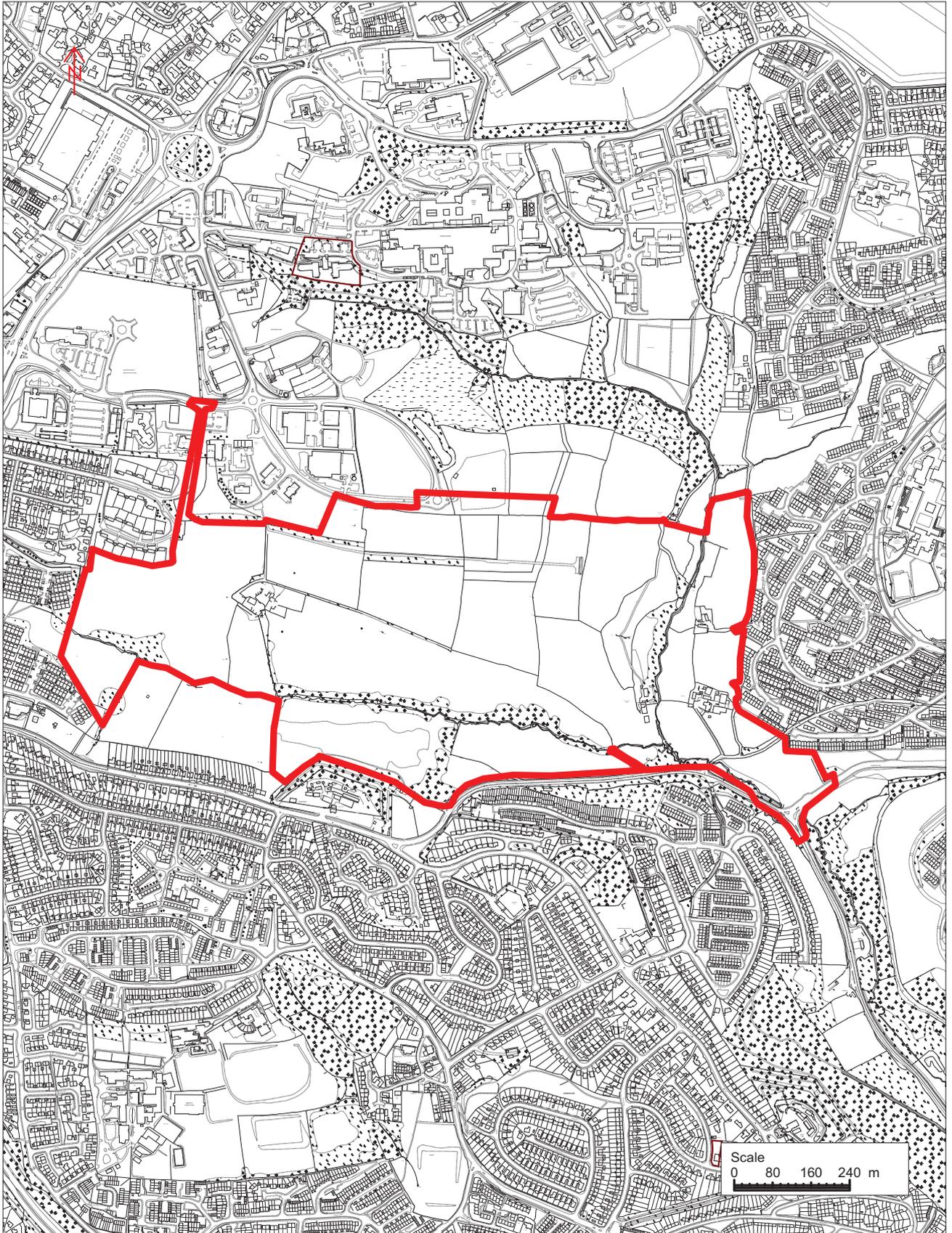
**8/13 Week Date:** **31/12/2013**

**Decision Category:** Major - more than 5 Letters of Representation received

**Case Officer :** Mark Evans

**Recommendation:** Grant Conditionally Subject to satisfactory completion of the Section 106 Obligation and the removal of the Highways Agency Holding Direction (Article 25 Town and Country Planning (Development Management Procedure) (England) Order 2010). Delegated Authority is sought to refuse the planning application if the S106 Obligation is not signed by the 31<sup>st</sup> January 2014

**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



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Published 2013



## Site Description

The application site is located 4 km north of Plymouth City Centre and is located within an area of the City known as Derriford and Seaton. The planning application site area comprises 76.6 hectares. The majority of the application site occupies the northern slope of Forder Valley. The slope is relatively flat in the northern part of the site, but becomes steeper close to the stream within Forder Valley. Levels vary across the site between 100m Above Ordnance Datum (AOD), falling to 30-50m AOD within Forder and Bircham Valleys. The site, including the area of woodland to the south is private (with no public access), being split up into a number of separate land ownerships including that of the Hawkins Trust, Poole Farm, MOD, NHS, SWRDA and Plymouth City Council.

The application site is essentially a plateau to the north with the slopes of the Forder Valley to the south. The south facing slopes have the more modest gradient comprise grazing land (48ha), divided by sporadic hedgerows and pockets of woodland (13ha), scrub (3ha), marshland (0.6ha) and orchards (0.2ha). It is noted that there are a number of significant and well established trees and hedgerows on the site.

The flatter slopes are used for grazing, and are divided by occasional hedgerows and isolated pockets of woodland. There are also a number of small springs on the slope. The eastern portion of the application site occupies part of Bircham Valley. As with the lower slopes of Forder Valley, this is a relatively steeply sloping valley generally occupied by broad leaved woodland.

Forder stream flows west to east through Forder Valley and Bircham Brook flows from north to south through Bircham Valley. The confluence of the streams is close to the south eastern corner of the site. The resultant watercourse then continues to flow to the south east and is a tributary of the River Plym.

The majority of the application site is in agricultural use for grazing with isolated farm buildings. The agricultural land, as a result of its size and the lack of agricultural land in the local area, means that there is insufficient land to constitute a viable agricultural holding. To the north of the confluence of the streams is Poole Farm (a farmhouse and associated agricultural buildings), while there are also the derelict buildings of Coleridge Farm located in the centre of the site.

Public views of the site can be made from the adjoining residential areas and more widely from those on the opposite side of Forder Valley.

The site has been the subject of a full Extended Phase I Habitat Survey and the surveys highlighted the following important features exist on the site:

- At least 8 species of bats have been recorded on the site and a high level of activity was recorded during the surveys. Rare species such as Barbastelle, Lesser Horseshoe and Greater Horseshoe were recorded;
- Two badger setts were recorded;
- Reptiles have been recorded in the extensive grasslands;
- No dormice are present on site;
- A total of 24 bird species were recorded breeding on site, only one of these [House Sparrow] is on the Red List;

The invasive Japanese Knotweed was also identified on the site.

The application site does not lie within a conservation area and contains no listed buildings.

### Surroundings

The Scheduled Ancient Monument known as Bowden Battery lies to the immediate south of the application site. The battery was connected to Forder Battery and Eggbuckland Keep to the east, and Crownhill Fort to the west, by a military road (Fort Austin Avenue). By 1996 it was recognised that the north *glacis* (slope) of the Battery merited preservation, and in 2004 the scheduled area was subsequently extended by English Heritage (EH) as far north as Forder Stream, which is included in the development site.

Two Grade II listed buildings, Fursdon Farmhouse and Barn are located some 250m to the northeast of the development site.

To the north of the site is the Plymouth International Medical and Technology Park and Derriford Hospital complex, including the Peninsula Medical School and the related Tamar Science Park. Beyond the hospital complex is the Derriford Health and Leisure Centre, the Marjon Sports and Leisure Centre and the University College of St Mark and St John, including its sports ground. Beyond these various medical and educational complexes is the former Plymouth City Airport site and various associated facilities (recently closed).

To the west some 500 metres from the site is the Tavistock Road (A386), one of the main arterial thoroughfares linking Plymouth to its northern rural catchment area, including the town of Tavistock. Off this main route, in the vicinity of the application site is the Plymouth International Medical & Technology Park, extensive residential areas and Crownhill Fort.

To the east is open land and, much of it woodland, beyond which are extensive residential areas of Estover including Estover Community College and the district centre anchored by Asda. To the south-east is the Forder Valley Local Nature Reserve.

South of the application site is further open land and beyond that, as far as the dual-carriageway A38 Parkway, is the extensive residential area of Eggbuckland, which includes educational facilities and community open space and Bowden Battery.

## **Proposal Description**

The application was re-advertised due to receipt of revised phasing plans and a minor amendment to the application description.

This is a hybrid planning application ie. it seeks outline planning permission for one part of the site and full planning permission for another, for the following;

Outline application (all matters reserved) for a residential led mix of uses on 32.07 hectares of land including up to 873 dwellings (2, 3 and 4 bedroom houses and 1 and 2 bedroom flats); 8,000 sq m of business space (use class B1); 1000 sq m of non-residential institutions (use class D1), 2,000 sq m of commercial floor space to include a mix of shops (use class A1), financial and professional services (use class A2), restaurants and cafes (use class A3), drinking establishments (use class A4) and hot food takeaways (use class A5).

The application also includes full details for the change of use of 38.67 hectares of agricultural land to public open space (to be dedicated as parkland).

The Illustrative Masterplan (SK-130710 Rev C) submitted with the application identifies the layout of the proposed development. This is then supported by a Design Code to provide clarity on how the masterplan can be implemented. The Design Code provides a benchmark for development quality by illustrating a number of design principles to guide the shape and form of the development generated from the masterplan.

The Design Code provides guidance about street, block design, public realm, landscape design and building design. It is pitched at a level of detail to avoid prescription but provide confidence and continuity of quality across the site. The code will be a guide for developers and designers preparing schemes for the submission of reserved matters applications, and or PCC and stakeholders in reviewing and determining them.

The Environmental Statement submitted with the Outline Planning Application presents the findings of an Environmental Impact Assessment (EIA) undertaken in accordance with the Town and Country Planning (EIA) Regulations 2011 and covers all matters identified within the Council's Scoping Opinion and assesses the environmental impact of the development proposals. The scope of assessment includes: planning policy context, landscape and visual impact, air quality, noise and vibration, transportation, ecology, arboriculture, ground conditions, flood risk assessment, utilities and socio economic.

On 21<sup>st</sup> January 2013, under Regulation 22 (1) and (10) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, further information was requested by Plymouth City Council as the data and reports concerning biodiversity, environmental assessment, protection and mitigation were considered to be insufficient or out of date.

Revised information including updated species assessments, Ecological Impact Assessments, Construction an Environment Management Plan [CEMP] and Environmental Management Plan [EMP] was subsequently submitted to address this matter to the satisfaction of officers.

The revised Environmental Statement (ES) confirms that there are no significant adverse environmental impacts arising from the development during construction or operational phases that justify withholding planning permission for the proposed development. The ES identifies appropriate mitigation measures that can be put into place to reduce or remove the impact of effects on the environment.

The key mitigation measures recommended by the Environmental Statement include:

- (i) Establishing Derriford Community Park to provide a new recreational space for north Plymouth and to enhance the ecological value of the area. The park will also act to connect Bircham Valley and Forder Valley Local Nature Reserves.
- (ii) Establishing a One Planet Living Centre to provide community and education facilities within the development.
- (iii) Locating development on the flattest areas of the site to minimise groundworks and engineering solutions required to manage land stability risks.
- (iv) Hedgerow retention of as many hedgerows and trees as possible – accompanied by management, like coppicing, to restore existing hedges and banks. New planting to supplement the existing.
- (v) Management within Bircham Wood to improve access and to diversify the woodland by removal of alien and some shade-casting trees and shrubs – like cherry laurel, to encourage a stronger field layer and a greater density of native shrubs.
- (vi) Erection of bird nesting and bat roosting boxes in Bircham Wood and bat roost boxes under the new bridge that will span the Forder Valley.
- (vii) Use of sustainable drainage techniques to ensure that the development does not adversely affect the local flood risk whilst taking account of the topography and geology.
- (viii) A programme of archaeological works will be undertaken which will improve knowledge of local heritage assets.
- (ix) Provision of a new road with bus segregation to reduce congestion on Tavistock Road. Preparation of a Travel Plan to encourage non-car transport.
- (x) Utilising a Code of Construction Practice to minimise the adverse effects of construction.
- (xi) Utilisation of a Travel Plan to minimise private car use and promote travel by more sustainable modes.

These mitigation measures are proposed to be secured by the imposition of planning conditions and through a Section 106 agreement.

The key access feature of the development is the construction of a new link road and bridge across the Forder Valley (The 'Forder Valley Link Road') which is set out within illustrative Masterplan drawing number SK-130710 Rev C. This has been designed to connect Forder Valley Road to the south east of the site with William Prance Road (Plymouth International Medical and Technology Park) to the north, and will create a new High Street (at its northern end) which will be the focus of the local centre and which will provide retail, employment and higher density residential accommodation.

The northern section of this high street will be the focus of the local centre, which will provide retail, employment and more dense residential accommodation. It is envisaged that the high street will be a formal lined strategic link with active frontages, linking into, and part of, the northern sections of the proposed new Forder Valley Link Road. Linking with Novorossiysk Road this completes a key connection between the A38 and east Plymouth with Derriford, Tavistock Road and north Plymouth. The potential need for the Link Road is recognised as being of strategic importance to North Plymouth in Policy AV9 (Area Vision 9) the Core Strategy, and within the submitted Derriford and Seaton AAP, including the Derriford Transport Strategy Dec 2012, and associated evidence base highlights its key importance to growth in Derriford and the north of Plymouth.

The application envisages that the facilities included at the new local centre will include shops, cafes and a new public transport interchange providing improved links to the surrounding neighbourhood facilities and Plymouth City Centre.

The illustrative Masterplan indicates that further from the high street, the density of the development will reduce and building heights will be broadly consistent across the development. The high street and local centre will feature the tallest buildings which are likely to be 3-4 storeys. Other important junctions within the development may also feature buildings of 3-4 storeys, while buildings across the site will generally be 2-3 storeys.

The development proposal also facilitates the delivery of the proposed North Plymouth Community Park located to the south of the Seaton neighbourhood. The need for a park in this location was identified in the Core Strategy spatial vision for the city (2.21) and illustrated in Area Vision 9's diagram (see also 11.20, 11.38). The proposal was amplified in the submitted Derriford and Seaton AAP following a range of detailed evidence base studies. The Community Park proposed by Plymouth City Council seeks to deliver in total 140 hectares of green infrastructure including 10 km of new footpath and cycle ways contributing to a sustainable network for north Plymouth.

The proposed development will include a One Planet Living Centre at the main entrance to the community park from the development. This will include community and education space.

The Environmental Statement advises that the existing topography of the site is challenging with gradients within the order of 1:6, requiring cut and fill to accommodate the development. A detailed cut and fill modelling exercise will be undertaken and it is envisaged that the site will achieve a cut and fill balance.

The applicant has provided a revised phasing plan that divides the development proposal into two key phases:

(i) Phase A1 proposes 350 residential units, 1,000 sq m of B1 commercial floorspace and 400 sq m of A1, A2, A3, A4 and A5 commercial uses.

At the end of Phase 1, it is proposed that the Forder Valley Link Road will be delivered, which shall be completed prior to the occupation of any part of phase 2.

(ii) Phase A2 proposes 523 residential units, 7,000 sq m of B1 commercial floorspace, 1,600 sq m of A1, A2, A3, A4 and A5 commercial uses and 1000 sq m of D1 non-residential institutions.

With regard to timing, the applicant states that Phase A1 will be constructed from 2014 and will take 3-4 years to build out, The Forder Valley Link Road is estimated to take 2 years and Phase A2 is estimated to take a further 4 years, although market conditions could influence these delivery estimates.

### **Pre-Application Enquiry**

Consultation has been an integral part of the design and assessment process initially with Officers from Plymouth City Council, Statutory Consultees and with the Plymouth Design Panel (October 2008).

In order to provide members of the public with an opportunity to comment on the development proposals, a public exhibition was held in September 2010 organised by the applicants. Key stakeholders such as politicians, community groups, surrounding businesses and local residents were invited to the event, which was also publicised within the local press and local news bulletins. A further public consultation event took place in Feb/March 2011. The applicant has also had considerable discussions with the Seaton Area Residents Association (SARA).

### **Relevant Planning History**

98/00461/OUT - Outline application to demolish existing buildings & redevelop land for Class B1 (business), B2 (general industrial) & B8 storage/distribution) purposes, including details of means of access. GRANTED CONDITIONALLY.

01/01520/FUL - Variation of condition 1 of outline planning permission no.98/0461 (for B1, B2 and B8 development on the whole Seaton Barracks site) to extend the period for the application for approval of reserved matters. GRANTED.

01/01020/REM – Infrastructure and remodelling works in part of employment estate (approval of reserved matters relating to outline planning permission 98/00461/OUT). APPROVED.

02/01445/REM - Landscaping works in part of employment estate (approval of reserved matters relating to outline planning permission 98/00461/OUT). APPROVED.

02/00922/OUT - Outline application to develop land by the erection of a new Plymouth Area Diagnostic and Treatment Centre together with new access road and footpath link. GRANTED CONDITIONALLY.

### **Consultation Responses**

#### Highways Agency

On the 6<sup>th</sup> of December 2012, the Highways Agency issued an Article 25 Direction (TR110) under the Town and Country Planning (Development Management Procedure) (England) Order 2010 directing that planning permission not be granted for a six months period.

The reason given for the issue of the Direction was to give the applicant time to submit additional information to enable the Highways Agency to assess the impact of the development on the A38.

The direction is issued on the basis of the fact that the evidence base to support the application is considered by the Highways Agency to be incomplete with particular respect to the predicted vehicular trip generation and impact on the highway network with and without the Forder Valley Link Road. The Highways Agency requires additional information to demonstrate compliance with Circular 02/2007 and its replacement in relation to the impact of the development on the operation of the A38. The submission of a business case to confirm the prospects of the Forder Valley Link Road being delivered in the lifetime of any permission is also requested.

This direction was further extended on the 4<sup>th</sup> of June and again on the 17<sup>th</sup> of June 2013, the Highway Agency extended the Article 25 direction of non-approval until the requested outstanding information has been considered and agreed.

An update on this matter will be presented by the officer at Planning Committee.

#### Highway Authority

No objections subject to conditions and informatives. The detail of the Highway Authority response is expanded upon within the 'Analysis' section below.

#### Environment Agency

No objection subject to conditions and informatives to ensure the appropriate management of surface water drainage, no adverse impacts on the floodplain of the watercourse or its nature corridor and the management of any unsuspected contaminated land which may encountered on site.

A condition is also required for a Construction Environment Management Plan (CEMP).

A CEMP is a management system showing how the environmental risks are managed through the construction phase, in a similar way that the Contractor will manage Health and Safety risks. It will outline how pollution will be controlled, includes a Statutory Waste Management Plan, shows how biodiversity features to be retained will be protected during the construction phase and how new features such as biodiversity and Sustainable Urban Drainage features are created.

### Natural England

No objections raised and confirm agreement with the conclusions of the Habitats Regulations Assessment, Ecological Impact Assessment (March 2013), Ecological Management Plan and Construction Ecological Management Plan Framework. This is dealt with in analysis section 'The impact of the development upon greenspace, wildlife and biodiversity'.

### English Heritage

Raises concern that the visual impact of any development does not adversely affect the Bowden Battery Glacis (an area kept free from visual obstructions to provide a clear field of fire) and its setting. Whilst recognising the protection of this space that the incorporation of the Community Park will provide, English Heritage considers that clarity is required with respect to the visual impact of the development when viewed from Bowden Battery and its setting.

### Public Protection Service

Recommend approval subject to conditions and a clause within the S106 Obligation requiring a contribution of £4195 towards air quality assessment and monitoring. This is required to assess the impact of the development on air quality inside the application area and on adjoining areas where air quality has been identified as being already poor, such as, the adjoining Air Quality Management Area on Tavistock Road.

### Sport England

No objections raised, recommends development is designed in line with 'Active Design' principles around improving accessibility, enhancing amenity and provision of sport and recreational facilities.

### South West Water

Requires a foul drainage condition to prevent any connection of foul flows to the public sewer network.

### Devon and Cornwall Police Architectural Liaison Officer

Is opposed to the planning proposal in its current design and layout for the following reasons: -

No reference is made in any of the submitted documents explaining how the developer will be complying with council policy CS32 – Designing Out Crime. Further, there was no mention either of 'Safer Places' - The Planning System and Crime Prevention, nor any mention of building to Secured By Design standards.

## Education Authority

The consultation response of the Education Authority is as follows:

The proposed development of 873 new dwellings in the Seaton area will have an impact on the education provision in the area. The development of 873 dwellings triggers the need to seek an education planning obligation in line with the Planning Obligations and Affordable Housing SPD.

The proposed site geographically sits in the North East Central locality of the city. There are five primary schools located within the area which would be affected by the development of the site; Thornbury Primary, Tor Bridge Primary, Widey Court Primary, Egguckland Vale Primary and St Edwards Church of England School.

Any additional dwellings built within this area will add pressure on places at these schools. A contribution amount negotiated in the section 106 agreement should be sought to mitigate the impact these additional dwellings will have on the surrounding primary schools and contribute towards the cost of the proposed new build primary school which lies adjacent to this development proposal.

This locality has been identified as currently having some capacity, but the submission version Derriford and Seaton Area Action Plan highlights a critical need to invest in the expansion of existing schools and build a new primary school in the area to accommodate the increase in pupils in both primary and secondary phases. Targeted Basic Needs funding available from the Department for Education has been confirmed, to support the infrastructure costs of the area, however it does not cover the total infrastructure costs and therefore S106 contributions are required to mitigate the impacts of this development.

Secondary education contributions would be sought due to the impact of the development and the continued growth in primary school numbers. The closest secondary schools are Sir John Hunt Community Sports College (Wood View Campus), Egguckland Community College and Tor Bridge High. These secondary schools would be affected by the increased pupil demand in the area and would require some expansion to accommodate the secondary educational needs, decision on the scale of this expansion or at which school will be dependant detail of the development.

Calculations - The development is seeking to add 873 new dwellings, this includes:

- 14% (122) one/two bed dwelling
- 36% (314) two bed dwellings
- 40% (349) three bed dwellings
- 10% (87) four bed dwellings

In line with the Planning Obligations and Affordable Housing SPD, the Education Authority would therefore be seeking a contribution of:

- £1,824,722 for 152 Primary school places.
- £2,110,149 for 115 Secondary school places.

Noting the phasing of the development this would be broken down as:

Phase A1:

- £731,561 for 61 Primary school places.
- £845,993 for 46 Secondary school places.

The overview of Phase A1 of the development would be an initial contribution of £1,557,554.

Phase A2:

- £1,093,161 for 91 Primary school places
- £1,264,156 for 69 Secondary school places

The overview of Phase A2 of the development would be a final contribution of £2,357,317

With respect to the complete development, the Education Authority therefore requests a total contribution of £3,934,871.

This contribution could be reduced to £731,561 for primary education with respect to Phase 1 of the development of 350 dwellings, only. An additional £845,993 would be required as a Secondary Education contribution only if the first phase of the development is not completed by 2018.

The construction of Phase 2 generating a further 523 dwellings would result in a further £1,093,161 being required for 91 Primary school places with a secondary requirement of £1,264,156 for 69 Secondary school places.

This contribution would be expended on either new education provision in Derriford and Seaton area or the surrounding schools listed above.

However, the Education Authority recognises that this development does include 20% affordable housing which may not generate sufficient residual value to secure a full education contribution.

## **Representations**

21 letters of representation received. Objections can be summarised as follows:

- (i) In the absence of an adopted land use policy promoting the redevelopment of this greenfield site and given concerns about the soundness of the Area Action Plan (AAP) submission version, against which the applicant's justification for this development heavily rely upon, it is considered premature to determine an application which proposes a quantum of residential development significantly above the threshold defined by the submission version of the AAP, in advance of the Examination in Public of the AAP and subsequent Independent Inspector's findings.

- (ii) Concern about the sustainable credentials of the development on the basis that the proposal constitutes potential overdevelopment of the site involving a significant loss of greenspace when there is previously developed land in the locality (such as the airport site) that is available for development.
- (iii) Concern about flooding risk due to surface water run-off.
- (iv) Concern about loss of greenspace and destruction of an existing nature reserve, wildlife habitats including the stream and grasslands, and mature trees.
- (v) Concern about impact of general construction works upon residential amenity of adjoining / neighbouring residents.
- (vi) Concern about adverse impact upon existing protected wildlife and hedgerows including protected bat species.
- (vii) Concern that proposed development does not address the local need for more infrastructure such as doctor's surgeries, public transport, police, community facilities and schools.
- (viii) Scheme is considered to be excessive and grandiose and will ruin a natural valley and replace an indigenous, working farm with a 'toy town' replica.
- (ix) Suggestion that proposed link road is relocated behind the existing farm to reduce its impact.
- (x) Concern that development will have increased impact on traffic congestion on existing road network which is already noted as being a 'congestion hotspot'.
- (xi) Concern that the locality does not need more shops and pubs as existing centres are already in decline.
- (xii) Concern about adverse impact on natural valley vista.
- (xiii) Concern about loss of outlook / natural views from residential properties.
- (xiv) Concern that the development is not warranted.
- (xv) If development of cycle routes to and from this development is a serious commitment, the existing shared use surface on Forder Valley Road is not considered adequate for more than minimal and slow use being narrow and with poor sight lines on bends and should therefore be improved.
- (xvi) A greater proportion of the proposed houses should be affordable and to lifetime homes standard.
- (xvii) Concern that inadequate consideration has been given to the impact on the viability of the Crownhill shops.
- (xviii) Concern about how the greenspace will be managed.
- (xix) Noise from the completed development would be unacceptable to local residents.

## **1.0 Analysis**

1.1 The key issues are:

- (i) The principle of the development in terms of the policy framework;
- (ii) The impact of the development on the appearance and character of the area;
- (iii) The impact of the development upon neighbouring properties;
- (iv) The ability of the development to address local housing need;
- (v) The impact of the development upon the highway network;

- (vi) The impact of the development upon the setting of the adjoining Scheduled Ancient Monument.
- (vii) The impact of the development upon greenspace, wildlife and biodiversity.

### **The principle of the development in terms of the policy framework**

1.2 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.

1.3 The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). The National Planning Policy Framework (NPPF) is a weighty material consideration. Paragraph 215 of Annex I to the NPPF provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the NPPF. In a recent appeal decision (North West Quadrant, Plymouth APP/N1160/A/12/2169472) an inspector found that the Core Strategy was substantially consistent with the NPPF. He said: 'The CS sets sustainable development at its heart with a vision for sustainable growth. Consequently, many relevant policies are consistent with the Framework and should be accorded considerable weight' (para. 15.3). Plainly the application should be considered within the context of the NPPF and should be assessed primarily against the Local Development Framework Core Strategy, and in particular its Strategic Objectives and Policies.

1.4 In particular, this report has due regard to the following relevant Strategic Objectives and Policies:

- Strategic Objectives: SO1 (Delivering Plymouth's Strategic Role); SO2 (Delivering the City Vision); SO3 (Delivering Sustainable Linked Communities); SO4 (Delivering the Quality City); SO6 (Delivering the Economic Strategy); SO7 (Delivering Adequate Shopping Provision); SO10 (Delivering Adequate Housing Supply); SO11 (Delivering a Sustainable Environment) and SO14 (Delivering Sustainable Transport)
- Policies: CS01 (Sustainable Linked Communities); CS02 (Design); CS03 (Historic Environment); AV9 (Area Vision 9 – Derriford and Seaton); CS04 (Future Employment Provision); CS08 (Retail Development Considerations); CS15 (Overall Housing Provision); CS16 (Spatial Distribution of Housing Sites); CS18 (Plymouth's Green Space); CS19 (Wildlife); CS20 (Sustainable Resource Use); CS21 (Flood Risk); CS22 (Pollution); CS27 (Supporting Strategic Infrastructure Proposals); CS28 (Local Transport Considerations); CS30 (Sport, Recreation and Children's Play Facilities), CS32 (Designing Out Crime); and CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations).

1.5 Consideration should also be given to the following: Adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and adopted Planning Obligations and Affordable Housing 2<sup>nd</sup> Review Supplementary Planning Document (2012). ). These SPDs implement and amplify Core Strategy policy.

1.6 The application is also considered within the context of the Submission version of the Derriford and Seaton Area Action Plan 2012 (AAP), which is a material planning consideration albeit with only limited weight following the outcome of an Examination in Public held in March 2013 in which the inspector concluded that the AAP is not sound. The Inspector's Final Report in to the Derriford and Seaton AAP published in September 2013 is also a material planning consideration in relation to this application.

### **National Planning Policy Framework**

1.7 The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It identifies three dimensions to sustainable development namely economic, social and environmental and the policies in the NPPF constitute taken as a whole the government's view of what sustainable development means in practice. It replaces all previous Planning Policy guidance issued at National Government Level.

1.8 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

1.9 As is seen below, the development plan (the Core Strategy) is not absent or silent in this case, and therefore the weight to be applied to its policies will be particularly high where they are consistent with the NPPF. Furthermore, it is considered that the relevant policies are substantially consistent with the NPPF.

### **Core Strategy**

1.10 The Core Strategy promotes a growth vision for Plymouth, built upon principles of sustainable development and delivering a city of high quality sustainable linked communities (Strategic Objectives 1, 2, 3 & 4, and Policies CS01, 02 & 03).

1.11 The Core Strategy identifies three broad areas of the city as being key to the achievement of its vision for Plymouth, these being:

- The Northern Corridor Opportunity Area, which has Derriford at its heart and for which the Core Strategy provides for 20% of its planned housing growth.
- The Eastern Corridor Opportunity Area, providing for 13% of housing growth.
- The City Centre & Waterfront Regeneration Area, providing for 44% of housing growth.

1.12 The application site is located within the Derriford area and is therefore part of the Northern Corridor Opportunity Area. Diagram 6 of the Core Strategy shows the planned distribution of housing provision across the city. The Derriford / Northern Corridor is anticipated as accommodating approximately 6,600 new homes in the period 2006-2021+. The contribution of 873 homes offered by the application proposal can be seen in this wider context of the Core Strategy's growth aspirations.

1.13 Strategic Objective 5 identifies the Council's intention to prepare Area Action Plans (AAPs) for ten priority locations within these three areas, one of which is Derriford & Seaton. The Derriford & Seaton AAP was submitted and subject to Public Examination, but was found unsound. It has not been withdrawn, and therefore is a material consideration albeit of limited weight. This AAP, which included policies relevant to the planning application, is discussed further below. The Core Strategy intended that AAPs would translate the vision and aspirations of the Core Strategy (as articulated in Area Visions) into reality.

1.14 The Core Strategy identifies its vision and aspiration for Derriford & Seaton in Policy AV9 (Area Vision 9). This sets out objectives that will help to deliver the vision and the Derriford and Seaton Vision Diagram conceptually illustrates how the vision can be achieved.

1.15 Policy AV9 (Area Vision 9) seeks 'to create a thriving, sustainable, mixed-use new urban centre at the heart of the north of Plymouth, which is well connected to surrounding communities and to the city's High Quality Public Transport network'. The Derriford and Seaton Vision diagram associated with Policy AV9 shows the broad location and nature of development and infrastructure that it is anticipated will come forward in order to realise this vision. Particularly relevant to the current application is the broad locations identified for 'residential-led mixed use', which is shown in a predominantly greenfield location notwithstanding the Core Strategy's target in CSI6 for brownfield development. The Core Strategy anticipated the need for development of this site to the achievement of its overall vision for Derriford. Also of significance is the broad location shown for the 'community parkland and nature conservation management' and 'potential new transport route.' Each of these broad locations relates well to the equivalent land uses as set out in the current planning application and provides support for the principle of the proposed development.

I.16 To achieve this vision, Policy AV9 identifies nine objectives, the most relevant to consideration of the application being set out below:

- (i) To develop a diverse mix of commercial and community uses supported by a strong, vibrant new residential community.
- (ii) To play a major supporting role in the sub-region's long term economic and social well-being through the provision of strategically important health, economic, further education and transport infrastructure (including an improved Plymouth airport).
- (iii) To facilitate public transport, cyclist, pedestrian and vehicular access in a sustainable way.
- (iv) To create a strong urban form, utilising distinctive high quality architecture and spaces with sufficient scale, which is easy to understand and assists in orientation.
- (v) To create a high quality, safe and accessible environment.
- (vi) To create key new transport linkages with surrounding areas, including potential Forder Valley and Whitleigh links.
- (vii) To capitalise on the existing network of green spaces, views and historic environment and enhance the role of these, with greater access and links to wider areas.

I.17 The application is considered to respond positively to each of these objectives.

I.18 It should be noted that a part of the application site includes a pocket of land (2.5 ha.) that is currently part of Plymouth International Medical and Technology Park (PIMTP). In this respect, Policy CS04 has relevance to the consideration of this application. This policy seeks to safeguard and support proposals to extend the strategic employment opportunities at PIMTP, and to improve linkages between the sites and Derriford Hospital. The planning application identifies the delivery of commercial units fronting on to William Prance Road on land within PIMTP. Noting that this application is an Outline application with all matters Reserved for future approval, the illustrative Masterplan Rev C shows a number of coloured blocks to the north of the site that will provide retail provision on the ground floor with commercial BI uses above. These BI uses are considered consistent with CS04. The plan also includes units with retail provision on the ground floor with vertically integrated residential units above; these units are located along the proposed new Forder Valley Link Road and will form part of the local centre identified within the AAP and supported through the Retail and Centres Study prepared by Roger Tym and Partners published in May 2012. Although not explicitly provided for in CS04, this form of development is considered complementary to its overall purpose, particularly when considered in the context of the vision for Derriford as a whole and the Area Vision diagram's identification of the broad location of PIMPT as for 'employment led mixed use development'.

I.19 In conclusion, it is considered that the principle of the application proposal is consistent with the Core Strategy as the relevant development plan for the area.

**Derriford and Seaton Area Action Plan – Submission Draft and Inspector's Report.**

1.20 The Council submitted the AAP to the Planning Inspectorate in December 2012 and an Examination in Public was held in March 2013. Recently, the Planning Inspectorate issued a Final Report into the Area Action Plan (AAP) concluding the plan was unsound. The Council has not withdrawn the AAP and therefore, although the plan is a material consideration, it can be attributed limited weight and is not part of the development plan.

1.21 The Inspector found the AAP unsound with regard to the 'cumulative consideration' of all factors, rather than one key concern. He identified five key concerns:

- Inadequate regard was given to the close proximity of the disused airport and the effects that the potential use of the site could have on Derriford and Seaton
- Inadequate economic evidence in relation to justifying the use of part of PIMTP for a new district centre
- Inadequate evidence regarding the deliverability of key sites across the Plan period
- Inadequate evidence to indicate that the necessary modal shift can be achieved
- Lack of evidence that transport infrastructure is deliverable in a timely fashion.

1.22 The application site includes all land within Proposal DS13 (Seaton Neighbourhood), 2.5ha of land within DS06 (Plymouth International Medical and Technical Park), a large area of Proposal DS20 (Derriford Community Park), land at Bowden Battery Glacis within Policy DS03 (Historical Assets) and includes the Forder Valley Link Road, which is included within Proposal DS18: Transport Infrastructure Improvements. The application site also includes an area of land to the east of the AAP boundary that adjoins the residential area of Estover. The masterplan accompanying this application proposes housing development in this area, a potential identified within the Strategic Housing Land Availability Assessment 2009 (reference site 27\_015).

1.23 **Proposal DS13 (Seaton Neighbourhood)** sets out the AAP aspirations for a residential led mixed-use neighbourhood with some 770 residential units, a new local centre providing for a mix of A1-A5 uses and 4,500 sq m of associated employment provision and the new Forder Valley Link Road. The proposal also requires land to be dedicated for community park uses with provision made for a new environmental education centre. Subject to further detailed assessment, a new 2 form entry primary school is proposed within the AAP site DS13. Within the AAP, the estimated timescale for delivering this proposal is 2014-2022.

1.24 The AAP Inspector's conclusions in relation to DS13 were primarily favourable and support the acceptability of the principle of residential led mixed-use development. Key points of relevance to the application include:

- He acknowledged that the 'evidence sources support the principle and content of the application' (para.92).

- In response to a representation that the airport site was sequentially preferable to the Seaton Neighbourhood site, he said: ‘... the Seaton Neighbourhood proposal would support the ambition of the Council to create a clearer heart to the Derriford and Seaton area that, based on current evidence, would not be overtly secured by deleting the proposal in preference to any alternative provision’ (para 94).

1.25 Although he did have concerns about imprecision in the Plan about phasing of Proposal DS13 in relation to the proposed Forder Valley Link Road, it is clear that he had no in principle objection to the nature of development proposed by the Plan. It is therefore considered that limited weight can be given to the provisions of DS13 in relation to the nature of development it seeks to bring forward.

1.26 The application proposal is broadly consistent with the AAP (albeit with a higher level of residential development) and provides for the general mix of uses envisaged. The AAP identifies land within the application site as one of three potential suitable locations to deliver a two form entry primary school; the Council has recently secured funding to deliver a new two form entry school on land adjoining the application site, and the Council is currently considering an acquisition of the land through the Capital Programme in order to deliver the school. The availability of alternative sites means that there is no overarching need for the application proposal to provide for a new primary school as part of its development, although the seeking of planning obligations to mitigate its education impacts is relevant. Further information regarding educational requirements associated with this development proposal is set out within the S106 Obligation section of this report.

1.27 In relation to phasing, the applicant has provided a revised phasing plan and supporting highways information that concludes an initial phase of 350 homes, 1,000 sq m of B1 commercial floorspace and 400 sq m of A1/A5 retail floorspace would result in a modest increase to peak hour trip generation, the applicant considers that this initial phase of development can be delivered in advance of the Forder Valley Link Road. Illustrative Masterplan Rev C sets out the phasing strategy for the delivery of the development proposal. There are two key phases to the development:

- (i) Phase 1 proposes 350 residential units, 1,000 sq m of B1 commercial floorspace and 400 sq m of A1, A2, A3, A4 and A5 retail uses.

At the end of Phase 1, it is proposed that the Forder Valley Link Road will be delivered by Plymouth City Council, which shall be completed prior to the occupation of any part of phase 2. A financial contribution of £2m towards the delivery of FVLR will be secured from the development during Phase 1. However the extent of funding required will necessitate further S.106 contributions from developments within the Derriford Area (District Centre etc) in addition to Plymouth City Council making a bid for Local Growth Funding from Central Government. An outline business case is anticipated to be submitted to by end of 2016 and subject to demonstrating Value for Money and securing statutory approvals for the construction, a Full Business Case will be submitted to the Heart of the South West Local Enterprise

Partnership by the end of 2018, with intention to start construction of the FVLR in Spring 2019. This is anticipated to have a two year build programme. The acquisition of the land required for the delivery of the FVLR will be secured through a land option agreement between the Hawkins Trust and Plymouth City Council.

- (ii) Phase 2 proposes 523 residential units, 7,000 sq m of B1 commercial floorspace, 1,600 sq m of A1, A2, A3, A4 and A5 retail uses and 1000 sq m of D1 non-residential institutions.

1.28 With regard to timing, the applicant states that Phase 1 will be constructed from 2014 and will take 3-4 years to build out. The construction period for the link road is estimated by the developer to take 2 years and Phase 2 is estimated to take a further 4 years, although market conditions could influence these delivery estimates.

1.29 It is of note, the Inspector did not benefit from the availability of this information when he was drawing together his conclusions on the AAP.

1.30 **Proposal DS06: Plymouth International Medical & Technology Park** seeks to strengthen the Park's strategic role as an employment site through the delivery of an additional 40,000 sq m of B1 and B2 commercial office and manufacturing floorspace and medical facilities within the C1 and C2 use class. A small part of the application site (2.5 ha) overlaps into the area covered by DS06. Proposal DS06 states that in addition to meeting its primary strategic employment role, consideration will be given to *'limited residential development in the region of 100 dwellings where this relates to the adjoining residential areas in Seaton Neighbourhood'*. The elements of the planning application located in PIMTP have been described above, where Policy CS04 of the Core Strategy is considered.

1.31 The AAP Inspector's conclusions in relation to DS06 where concerns with matters of deliverability, particularly given evidence relating to unviability of speculative employment development and uncertainty over the timing of and Proposal's relationship to the delivery of the Forder Valley Link Road. There was little challenge to the provisions of DS06 *per se*, and limited weight can be given to DS06 in relation to the principles of development it is advocating. The application proposal is considered consistent with the draft policy.

1.32 **Proposal DS20: Derriford Community Park** seeks to deliver *'a new community park that will become an environmental, social and educational asset and resource for communities within and around Plymouth'*. In accordance with DS13: Seaton Neighbourhood, the applicant is seeking to change the use of an area of agricultural land to public open space that will be dedicated to enable the delivery of Derriford Community Park.

1.33 The AAP Inspector's conclusions in relation to DS20 were entirely positive and therefore limited weight is able to be given to this draft policy. In para. 92 of his report he refers to the *'commendable aims for the Community Park'*. The application proposal is considered consistent with the draft policy and indeed crucial to securing the delivery of the park. A clause is recommended within the S106 Obligation to include a provision for the developer to grant a 999-year lease to the

Council in respect of all land and existing or proposed buildings required for the Community Park. This is required upon signing of the Obligation. The application site includes 1,000 sq m of D1 non-institutional floorspace within Phase 2, which will include the delivery of the One Planet Centre sited within Proposal DS20. The AAP states that the One Planet Centre will be the hub of the park, an educational resource that will offer opportunities for hands-on learning in food production, nature conservation and sustainable living. Further information on the requirements and delivery of the proposed Community Park are provided in paragraph 1.149 onwards.

1.34 **Policy DS03: Historical Assets** seeks to ensure that development proposals relate and are sensitive to Derriford's historic assets, one of which is identified as Bowden Battery Glacis, a Scheduled Ancient Monument which should be managed sympathetically as part of the Community Park. The parcel of land, to be dedicated for Community Park uses, labelled 'B' on Illustrative Masterplan Rev C, incorporates Bowden Battery Glacis.

1.35 No objections were received in respect of DS03 and the AAP Inspector only made limited comment, acknowledging that the evidence and proposal complement the provisions of the Core Strategy and provide an effective basis for decision making. Limited weight is therefore able to be given to this draft policy.

1.36 Proposal **DSI8: Transport Infrastructure Improvements** provides for the safeguarding of land to deliver key transport infrastructure, including the Forder Valley Link Road. The application includes provisions for this new link road which will connect Brest Road with the junction of Forder Valley Road and Novorossiysk Road. This road has been under consideration over many years and was considered in studies that pre-date the Core Strategy. It has been recognised as a key element in the City's Strategic Public Transport Network since 2005 and as an integral part of the City's Strategic Cycle Network since 2009. Most recently it was identified in the Derriford Transport Strategy Dec 2012 as being a critical strategic requirement to enable the sustainable delivery of all planned developments in Derriford.

1.37 The Core Strategy seeks to secure a strategic high quality public transport network which is linked to SO18. 8 and CS27 refers to the construction of a High Quality Public Transport network. This will facilitate sustainable transport modes in accordance with the NPPF. The Forder Valley Link Road will provide improved connectivity, particularly in respect to linking Derriford with developments coming forward to the east of Plymouth (Sherford), and the creation of a dedicated Park and Ride service which would link Sherford to the employment opportunities to the north of the City at Derriford. In addition the link road will provide additional network capacity and will reduce pressure on the A38/A386 junction at Manadon, a key congestion hotspot in Plymouth. The AAP states that this route could prove vital in any future attempt to provide public transport priority along the A386 and it will meet increasing demands for cross city links between Derriford and the new community of Sherford and employment development at Langage. Evidence prepared for the AAP Examination in Public anticipated this new highway link would be delivered later in the plan period; the application phasing plan is consistent with these aspirations. Further information on the impact of the development upon the highway network is provided from paragraph 1.55 of this report.

1.38 Although the AAP Inspector had significant concerns regarding the adequacy of the evidence to support the deliverability of the transport proposals set out in DS18, he did explicitly acknowledge the need for transport infrastructure improvements in general and the Forder Valley Link Road in particular:

- (i) He acknowledges that need for modal shift, reducing severance and improving transport infrastructure are supported by the available evidence, particularly the content of the Core Strategy, the Local Transport Plan and the Derriford Transport Strategy, which 'appear robust in their construction' (para. 103)
- (ii) He speaks of the 'necessary improvements to the transport infrastructure' (para.113).
- (iii) In relation to FVLR he says 'The balance of evidence proportionately supports its provision and there is no compelling evidence to indicate that, alternatively, the use of the existing highway network will deliver the objectives of the Plan albeit the FVLR does not need to be in place before development can begin' (para 116).

1.39 The application's provisions for the FVLR are therefore given support in principle by the submission AAP, even if only limited weight can be accorded to it.

#### **Evidence Base documents – other material considerations**

1.40 In commenting on the implications for planning decision making in the absence of an adopted Derriford & Seaton AAP, the Inspector has sought to provide some guidance on material considerations for the consideration of planning applications, pending the completion of the Core Strategy Review. In paragraph 19 of his Final Report (Aug 2013) he referred to the existence of the NPPF, the Core Strategy Vision for Derriford, the relevant content of the Core Strategy and 'the informative aspects of some local evidence which has been produced.

1.41 Furthermore, in his letter to the Council where he set out his Preliminary Main Concerns (4 May 2013) he suggested that the Council 'may care to consider withdrawal of the AAP and the use of much of its relevant evidence base to inform the production of the Plymouth Plan.'

1.42 A considerable amount of evidence has been produced which has first considered and then identified the potential of the application site for the kind of development now proposed. Amongst this evidence base are the following key documents:

- Derriford and Southway Area Planning Framework, Llewelyn Davies, May 2005; Plymouth Sustainable Growth Study Stage 1 (May 2003) and Stage 2 (July 2004) Llewelyn Davis ; Plymouth Sustainable Growth Distribution Study 2005 (Baker Associates). Between them, these documents have explored the key issues and opportunities in the Derriford area, identified the potential for the Seaton Neighbourhood and articulated its potential role as part of the overall growth agenda which became established in the Core Strategy.

- Derriford Development Framework Evidence Report, LDA Design, (2009). This report gives consideration to the broad location of the application site and the principle of delivering an area with intensification with a new link road, community park and local centre. Reference is made to the archaeological importance of Bowden Battery Glacis, which forms part of this planning application;
- Derriford Masterplan Framework, LDA Design, (2009). This report specifically refers to land within the planning application in the section entitled Seaton Valley. In particular, reference is made to the 'creation of a desirable valley-side residential community through high quality, development of the higher south and south east facing slopes of the Forder Valley'. In addition, reference is made to the Seaton Local Centre 'that will form the interface between the predominantly residential area and the new medical facilities on the ridge'. The report also considers appropriate uses that could be delivered within the application area, which include a mixed use scheme with a range of housing types and sizes, a local centre with a mixture of accompanying employment and residential uses and a new community park. There is a strong emphasis on integrating the development at Seaton with the existing surrounding residential areas and Plymouth International Medical and Technology Park.
- Strategic Housing Land Availability Assessment (2009) (SHLAA). Site reference 27\_015 assesses a parcel of land within this planning application located to the west of Blunts Lane. The SHLAA Panel Assessment proposes that an unconstrained yield of 100 dwellings could be delivered on this land with an estimated delivery date of 2019-2024. In addition, site reference 27\_018 within the SHLAA assesses an area of land within the planning application immediately to the south of land at Plymouth International Medical and Technology Park. The SHLAA Panel Assessment proposes that an unconstrained yield of 700 dwellings could be delivered on this land with an estimated delivery date of 2014-2024. Strategic Housing Land Availability Assessment 2009 (site reference 27\_018) that are material planning considerations. These evidence base documents informed the Derriford and Seaton Area Action Plan, which sought to amplify and update the Core Strategy Area Vision 9 for Derriford and Seaton.

I.43 These evidence base documents add weight to the acceptability in principle of the application.

### **The impact of the development on the appearance and character of the area**

I.44 Whilst all matters are reserved for future consideration, the applicant has provided an indicative masterplan layout intended to represent how the vision, through quantum and form of development could be achieved on site.

1.45 It is acknowledged that the development of this site will have a significant impact in terms of landscape and visual setting within the locality of the site. There will be extensive areas of new housing in both phase I and phase II. The construction of the Forder Valley Link Road will have an adverse impact on the natural open vista and rural character of the valley.

1.46 Officers consider that through the sensitive design of the new housing areas and associated road and utility services, and with particularly close scrutiny to the details of the design and construction of the link road and development context as a whole at Reserved Matters stage, this impact can be minimised and need not be significantly adverse. In addition, the recreational and ecological resources of the area can be increased through the delivery of a new community park. On balance therefore, the visual impact on the appearance and character of the locality is not considered by officers to be so significant to warrant a refusal of the planning application taking into account the wider benefits of this scheme identified within this report. Indeed, these were matters also considered by the AAP Inspector who acknowledged that development of the nature proposed and the Forder Valley Link Road were both justified (see commentary above).

1.47 Concerning issues of density, the broad brush reference to a density of 30 – 50 dwellings per hectare (dph) within PPS3 has been superseded by guidance within the NPPF which states that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances. Strategic Objective 10.2 aims to promote the highest density compatible with the creation of an attractive living environment. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre.

1.48 The issue of density will be dealt with through the Reserved Matters submissions. Officers consider that the indicative density levels at the site appear consistent with the density levels in the immediate vicinity. Given the sustainable location of the site and the lack of demonstrable harm associated with the amount of development proposed, the density is likely to be acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2.

1.49 Officers are satisfied that this development will comply with Core Strategy Policy CS18 Greenspace which states that 'development proposals will improve the quality and quantity of accessible greenspace'. Whilst the development will result in a loss of privately owned, open (inaccessible) countryside, it will provide open access to a large area (38.67 HA) of this previously privately owned land and improve the quality of the greenspace.

1.50 It is noted that there are a number of significant and well established trees and hedgerows on the site. In accordance with NPPF paragraph 118 and Core Strategy Policy CS18.4, a condition is recommended to ensure that the details submitted through the Reserved Matters process make adequate provision for the retention and protection of key and significant trees and that there is more retention of hedgebanks, or at least sections of hedgebanks containing special veteran trees of note, wherever possible.

1.51 Officers therefore consider that the development is capable of being controlled through Reserved Matters Application so as to achieve accordance with adopted policies CS01, CS02, CS18 and CS34 of the Core Strategy and the Council's adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and policies and provisions of the National Planning Policy Framework.

### **The impact of the development upon neighbouring properties**

1.52 Officers do not consider that the proposed development will impact significantly upon the residential amenities of nearby properties due to the separation distances between the existing surrounding development and the site, the extent of green landscaping that will be retained (as illustrated on the illustrative Masterplan) and also the changing topography, with much of the site being significantly lower than the surrounding areas and separated from adjoining residential development by established hedgerows.

1.53 The aspects of the development that could have an impact on residential amenity, such as noise and disruption caused from development construction, potential light pollution issues and potential noise nuisance issues, can be mitigated through the imposition of planning conditions. On this basis the development proposal is not considered to have an unacceptable impact on the residential amenity of neighbouring properties in terms of outlook, noise, nuisance or light pollution and on balance is considered to be acceptable.

1.54 Officers consider that the development accords with adopted Core Strategy policies CS02, CS18 and CS34, the Council's adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and the policies and provisions of the National Planning Policy Framework

### **The impact of the development upon the highway network**

1.55 Paragraph 32 of the NPPF advises that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- (i) The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- (ii) Safe and suitable access to the site can be achieved for all people; and
- (iii) Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

1.56 Accordingly, a detailed Transport Assessment (TA) and Travel Plan (TP) have been prepared in support of this application which can be assessed as follows:-

### Traffic Modelling

1.57 A detailed traffic modelling exercise has been undertaken in order to assess the impact of the development-related trips (both Phases 1 and 2) upon the operation of both the local and strategic highway networks.

1.58 The applicant has assessed a number of agreed junctions, with an opening assessment year of 2016 and a future year of 2021. In respect of the 2021 tests, the Plymouth City Council commissioned 'SATURN' model was used to determine the re-routing affects that will arise at the various modelled junctions as a result of the construction of the FVLR, the provision of which was included within the 2021 tests. The junctions were then assessed using the same base LINSIG and TRANSYT models that were used for the 2016 tests.

1.59 Although Committed Development (derived from the Derriford and Seaton AAP Delivery Framework) was included within the modelling for the assessment years of 2016 and 2021 (District Centre, North West Quadrant, Tamar Science Park), none of these sites are 'committed' and therefore the inclusion of such has resulted in the traffic modelling being overly robust. Furthermore no assumption has been made in respect of modal shift for the Phase 1 (2016) assessment year as the Travel Plan would still be in its' infancy likewise the supported bus route. However reductions (around 30% for residential being a combination of the Travel Plan and internalisation) have been included for Phase 2 trips as the creation of the FVLR will lead to the site being better served by all modes of transport including public transport. The creation of the Link Road would also result in many of the retail related trips being pass-by hence a 50% reduction has been applied to this trip rate.

1.60 Whilst the planning application submitted is seeking outline planning permission for all of the development shown on the site Masterplan Rev C (which includes the FVLR), a detailed costing exercise undertaken for the Link Road revealed that the true cost of delivery would be much higher than envisaged by both Plymouth City Council and the applicant. Consequently it has been agreed with the applicant that Plymouth City Council would be best placed to deliver the FVLR. Therefore a Grampian style condition would be imposed which limits the amount of development that can take place prior to the delivery of the entire Link Road. The amount of development that can be permitted without the FVLR would need to be determined by undertaking detailed traffic modelling of the current highway network with the inclusion of development traffic.

1.61 On the basis of capacity of the local highway network (the trips the local network could accommodate without those impacts being considered as being 'severe') and a sufficient number of units that would create a viable scheme, a total of 350 homes are proposed as part of the first phase of the development along with 1,000 sqm of commercial uses and 400 sqm of retail use in order to create a sustainable neighbourhood. The traffic modelling work was therefore undertaken by the applicant on this basis.

1.62 Based upon approved trip rates, the revised first phase of the development generates 218 vehicular trips during the am peak (70 arrivals and 148 departures) and 246 (138 arrivals and 108 departures) in the pm. This compares to a total of 450 two-way trips in the morning and 487 two-way in the afternoon for the full development scenario (the latter assumes reductions as a result of modal shift and internalisation/pass-by trips).

1.63 As mentioned above, the applicant has assessed a number of agreed junctions both on the local and strategic road networks in 2016 and 2021. A summary of the results of those assessments for each of the junctions are as follows:-

### Manadon Junction -

1.64 The results of the modelling runs undertaken for both 2016 and 2021 show that the junction is operating over-capacity in all scenario's during the am and pm peak traffic hours, with the most significant queues and delays being experienced on the A386 southbound approach and Mannamead Road (the latter being particularly congested during the am peak).

1.65 In order to provide a particularly robust assessment the applicant's traffic consultant has included the development trips associated with development proposals that were projected to be delivered within the Derriford and Seaton AAP for example (such as the District Centre) for the relative assessment years of 2016 and 2021.

1.66 The results of the 2016 test indicate that there would be a slight deterioration in operating conditions at Manadon Junction as a result of the Phase I trips. However by excluding the various Committed Development sites (such as the District Centre) it can be seen that the trips associated with Phase I would have little impact upon the operation of the junction (just 35 additional trips on the eastbound on-slip during the am peak and 31 on the westbound off-slip during the pm).

1.67 The results of the 2021 test, (which includes the construction of the FVLR), indicate that whilst the amount of traffic using the network has been increased (due to the inclusion of Committed Development sites), the level of congestion and queuing experienced at the junction is not much greater than that identified in the 2016 + Committed Development assessment year (which assumes no modal shift to provide a particularly robust assessment). This is likely to be the result of traffic using other routes due to the junction already operating at capacity in 2016. What is also worth noting is that the results of the 2021 tests undertaken both with and without the FVLR being in place show little difference in terms of the operating conditions at Manadon. This is likely to be due to additional capacity being created on the A386 (as a direct result of the introduction of the FVLR) being taken-up by traffic which had re-routed elsewhere on the network in order to avoid the existing queues at Manadon.

### Forder Valley Interchange (A38 junction)

1.68 As expected, the results for this junction show an increase in congestion in the various scenarios that have been assessed, particularly with the introduction of the FVLR as traffic travelling to Derriford from the East of the City (Plympton, Plymstock etc) re-routes along the new Link Road rather than through Manadon and along the A386 resulting in an increase in traffic flows through Forder Valley Interchange. However the results of the modelling does indicate that the junction will continue to operate within its theoretical capacity both in the 2016 and 2021 assessment years.

### Marsh Mills

1.69 This junction is already operating beyond its capacity and consequently officers consider that the increase in flows resulting from the development will lead to a deterioration in operating conditions, with the most significant problems being experienced on Plymouth Road (southbound) and the A38 (westbound) approaches to the junction.

1.70 However it is accepted that in terms of the baseline position, this junction is already operating close to capacity in the am and pm peak traffic hours. A summary of the development impacts highlights that when compared to the 2012 surveyed flows, the trips generated in 2016 (Phase A1 of the development) equates to an impact of just 0.36% in the am and 0.32% in the pm. In the 2021 tests (which include the provision of the FVLR) these impacts increase to 0.62% in the am and 0.41% in the pm. In respect of the NPPF these impacts are not considered to be 'severe', particularly as the assessment work includes development sites which are not committed such as the District Centre but ensures that the residual cumulative impacts are assessed as outlined in the NPPF. Furthermore a contribution is being sought from this development to fund strategic transport infrastructure within the area, to help mitigate these impacts (this is demonstrated in the results of the 2021 test with the inclusion of the FVLR which shows improvements at Marsh Mills), along with a robust Travel Plan

### Plymouth International Medical and Technology Park (Junction with William Prance Road)

1.71 The assessment work undertaken for the opening year (2016) indicates that the junction operates over-capacity in all of the various scenarios that have been modelled.

1.72 The results show some considerable queues of traffic forming on the approaches to the junction, with the most significant problems being experienced during the am peak hour on the Tavistock Road (South) approach to the junction where a maximum queue of 555 'passenger car units' has been reported which equates to a queue length of over 3.3km. Further traffic queues are also indicated on the William Prance Road approach during the pm peak (430 'passenger car units' which equates to a queue of 2.15Km).

1.73 It should be noted however that the results of the modelling work undertaken includes trips from development proposed within the area which is neither permitted or committed. Certainly the inclusion of those trips generated by the proposed District Centre for the Derriford and Seaton area for example, adds a considerable amount of traffic to the network as can be observed from the results of the Manadon sensitivity test which excludes the District Centre trips.

1.74 In order to overcome the capacity issues at the Plymouth International Business Park junction, the applicant is proposing an improvement scheme on the A386 which seeks to increase the capacity of the right turn into William Prance Road from the A386 by extending it into the central reservation by an extra 70m. The results of a sensitivity test undertaken to assess the impact of this scheme reveals that there would be no increase in traffic queues on the approaches to the junction despite the inclusion of the traffic movements associated with Phase I of the development (the results indicate that the junction would operate similarly to the base conditions). All of the land required to deliver this scheme falls within the extent of HMPE and will be delivered by Plymouth City Council through a financial contribution secured through the S.106 Agreement.

1.75 The results of the 2021 tests reveals that a combination of the new FVLR and the proposed A386 improvement scheme demonstrates an improvement in the operation of the junction when compared to the 2016 Base, despite a greater proportion of development being considered in the 2021 assessment year. The removal of the trips associated with the District Centre improves the situation further when compared to the 2016 Base.

#### Site Access Junction

1.76 The results of the traffic modelling work reveal that this junction operates within its theoretical capacity in all scenarios assessed with minimal queues and delays in both the am and pm peak traffic hours.

#### Proposed Junction at the Southern end of the FVLR

1.77 Associated with the delivery of the FVLR is the need to create a new junction at its' southern end where it meets both Forder Valley Road and Novorossiysk Road. Whilst a roundabout option was assessed in an earlier version of the TA, subsequent modelling of a signalised crossroads arrangement demonstrated an improvement in capacity when compared to the roundabout option although the results of the modelling work undertaken for both options identified significant capacity issues in the 2021 assessment year. This is not unexpected considering the amount of growth planned within the Derriford area and as some traffic that currently uses the A386 is likely to re-route along FVLR, this will create some additional capacity (albeit limited) at Manadon Junction. It is also worth highlighting the point that the proposed junction layouts assessed provide improved facilities for both pedestrians and cyclists in this location. The construction of this junction is likely to require land outside the ownership of PCC. The acquisition of the land required for the delivery of the FVLR will be secured through a land option agreement between the Hawkins Trust and Plymouth City Council.

#### Car Parking

1.78 As this is an outline application with all matters being reserved, very little detail has been provided by the applicant in respect of car parking apart from specifying the overall numbers being provided. (The submitted Transport Assessment states that 1729 spaces are proposed overall, 1187 within the first development phase). Therefore various conditions are recommended to be attached to any grant of consent relating to the use/management of such (Car Parking Management Strategy).

1.79 In accordance with the methodology as set out within the Development Guidelines SPD, the applicant's traffic consultant has calculated the existing accessibility of the site by public transport and this score has then been applied to the maximum standards for the non-residential uses as a percentage reduction. This has resulted in a car parking standard of 1 space per 47 sq.m for the commercial/offices and 1 space per 36 sq.m. for the retail uses. However these standards only apply to the commercial and retail elements in Phase A1.

1.80 The creation of the FVLR has the potential to significantly increase the accessibility of the site as a combination of the Link Road along with a new Park and Ride site to the East of the City will result in regular use of the Link Road by public transport. This has been considered by the applicant with a lower standard of car parking being proposed for the commercial elements (1 space per 103 sq.m.) and retail elements (1 space per 105 sq.m.) of floor space once the FVLR has been constructed. When considered across both development phases, the level of car parking proposed to serve the retail and commercial floorspace is well below the maximum standards as outlined within the Development Guidelines SPD and is therefore considered acceptable.

1.81 The revised phasing plan produced indicates that only part of the area of employment land (to the south of William Prance Road) will be developed during Phase A1. However these development areas are shown to be served by several large communal car parking courtyards and therefore concern is expressed by officers that these early phases of commercial and retail could well be over-provided in terms of car parking if these car parking courtyards are constructed in their entirety, undermining the aims and objectives of the TP and leading to a greater traffic impact upon the local highway network. Details will therefore need to be submitted to and approved by the Local Planning Authority demonstrating how the use of such areas will be controlled/managed in order to ensure that there is no car parking over-provision. Conditions are recommended to cover this relating to a Car Parking Management Strategy, Travel Plan and Car Parking.

1.82 With regard to the spaces proposed to serve the retail, it is recommended that their use be restricted to limited waiting (no more than 20 minutes) in order to ensure that there is regular turnover of spaces. It is not currently clear whether or not these spaces will be located on private land or on 'Highway Maintained at Public Expense' (HMPE). If it is the latter then a Traffic Regulation Order will be required. This same comment would also apply to any other on-street car parking proposed either along the Link Road or on William Prance Road.

1.83 It is noted that the level of car parking serving the residential units will be in accordance with the approved standards, with a total of 1,494 spaces for the completed development (phases A1 and A2) allocated as follows:-

126 one bed units – 126 spaces at a standard of 1 space per unit

747 two (or more) bed units – 1,494 spaces at a standard of 2 spaces per unit.

1.84 It would appear from viewing the Design Codes submitted that a large amount of the car parking serving the residential elements will be situated on-street within the development. As these spaces will be located within the adopted highway they cannot be allocated to individual properties.

1.85 In order to control the use of any on-street kerbside car parking provided within the development (there are a number of large employment sites within the area which generate considerable demand for car parking such as Derriford Hospital), it is recommended that the applicant fund the provision of a Controlled Parking Zone for the entire development. This will ensure that employees from those large employers within the area are not tempted to park within the residential streets which make-up the Seaton Neighbourhood development.

1.86 A total of 45 spaces have been proposed to serve the One Planet Living Centre which is considered acceptable. Officers consider that there may be a need to reduce this number in order to provide some coach parking (as the centre is likely to be visited by schools and organised groups etc).

### Layout

#### Forder Valley Link Road/High Street

1.87 As mentioned above, an up-to-date costing exercise has been undertaken by PCC and has revealed the cost of delivering the FVLR would be far in excess of the amount previously identified by the applicant. Furthermore if the applicant had proceeded with the delivery of the FVLR then there would have been no funding for those 'softer measures' included within the Travel Plan which, in terms of delivering the growth planned within Derriford, are just as important as the physical infrastructure improvements such as the FVLR.

1.88 One of the primary drivers behind the need for the FVLR was in respect of developments coming forward to the east of Plymouth (Sherford) and the creation of a dedicated Park and Ride service which would link Sherford to the employment opportunities to the north of the City at Derriford. This would result in such Park and Ride buses running along FVLR. However as the delivery of the Sherford development has stalled, in terms of scheme priority the FVLR has been reprogrammed and the order of new infrastructure provision in Derriford has been re-prioritised to support the delivery of the reconfiguration of Derriford Roundabout in the short term and the delivery of the FVLR in the longer term (likely start of construction Spring 2019). This is anticipated to have a two year build programme.

1.89 However the northern section of the new Link Road (referred to as the High Street) is ultimately required to serve the first phase of the proposed development (phase A1) and therefore this will be provided by the applicant as part of site infrastructure works. This also includes the construction of a signal controlled junction where the Link Road/High Street meets William Prance Road.

1.90 In order to provide a suitable road network to serve the first phase of the development which caters for all modes, it is recommended that the High Street is constructed during the early stages of this first phase of development and these works should include the new signal controlled junction that will replace the existing roundabout. This will need to be covered by condition.

1.91 In terms of pedestrian and cycle provision, a combined footway/cycleway is proposed along the western side of the Link Road. The provision of such a route along the frontage of the ground floor retail units will need some consideration to ensure that customers entering and leaving such premises do not come into conflict with cyclists. It may be more appropriate to encourage cyclists to use the bus lane once they enter the busier High Street section of the Link Road.

1.92 Whilst it may be permissible to provide informal crossings at various locations along its length, a 'Toucan' crossing is proposed at the southern end of the High Street section of the Link Road. This facility is due to be provided as part of the first phase infrastructure works.

1.93 A further on-road cycle route is proposed on the eastern side of the Link Road as the steep gradient of the road (1:10 in a number of locations) would result in cyclists travelling downhill at speed. All round pedestrian and cycle crossing facilities will need to be provided at the new junction being constructed at the top of the Link Road where it meets William Prance Road.

1.94 Public transport provision (in the form of a bus lane) is provided on alternate sides of the new Link Road on the approaches to the junctions at the northern and southern ends (it should be noted that in terms of national transport standards, the bus lane should be 4.5m in width, not 4.25). Whilst a new transport hub is proposed immediately to the north of the signal controlled junction of FVLR with William Prance Road, the creation of this facility may not come forward for some considerable time. Therefore some public transport provision in the form of a boarder, shelter and real time passenger information will need to be provided on the High Street. A location for such a bus stop has been shown along the frontage of the ground floor retail units on the western side of the High Street (which is considered acceptable). A further bus stop will also need to be provided on the eastern side of the High Street for outbound bus services.

1.95 Despite the Design Codes stating to the contrary, the steep uphill gradient of the Link Road will mean that traffic calming measures will not be necessary. Some on-street car parking is also proposed on the High Street. It is recommended that these spaces be subject to a Traffic Regulation Order (TRO) which restricts their use to short periods of time.

I.96 In order to make their associated use by vehicles safer all of the junctions onto the new Link Road (apart from the southern-most which has a dedicated right turn lane and the northern-most which will be signalised), will operate on a left-in, left-out basis.

I.97 No details have been provided in respect of loading and unloading provision for the retail units that will front onto the upper section of FVLR. Officers therefore recommend that this be covered by way of a condition. A Traffic Regulation Order shall also be required in terms of managing the use of such a facility.

### General Layout

I.98 There are concerns regarding access to the area of Phase 2A development located around the former Poole Farm site (the area of development around Blunts Lane). Very few details have been provided in respect of how this area of development will be accessed by any modes of transport but particularly by vehicles. Due to the speed of approaching traffic, a formal right turn arrangement would be required on Forder Valley Road which necessitates localised road widening to accommodate both the right turn lane and a planned uphill on-road cycle route.

I.99 No assessment work has been undertaken to give any indication on the level of use of the access that will serve this area of development (circa 65 units) with the vehicular route shown to narrow down to 4.5m in width just beyond its' junction with Forder Valley Road. Such an arrangement may be acceptable as it will function as a traffic calming measure. However this will depend on the number of vehicles using this access and whether or not vehicles would be shown to stack back out onto Forder Valley Road in the peak hours. If there is the possibility of such occurring then the existing bridge may have to be widened to provide an adequate means of access.

I.100 Suitable pedestrian and cycle links will need to be provided from the residential area of development near Poole Farm through to the existing Estover estate (Rydal Close, Torver Close etc.). This would allow residents to access the existing bus services that run along Miller Way (15 minute frequency). Details of these links should be provided and careful consideration will need to be given to where these links cross Blunts Lane.

I.101 The applicant has confirmed that the extension of Colborne Road (which is being provided as part of the first development phase) will operate as a bus only link. The applicant has agreed to fund the installation of a bus lane enforcement camera (the associated cost of which is around £25k). This will be secured through the S.106 Agreement. The applicant should be aware that a Traffic Regulation Order will also be necessary. Consideration should also be given to creating a footway/cycleway link through to Charlton Crescent (although it is accepted that this may not ultimately prove to be possible due to Charlton Crescent being a private street).

I.102 Whilst there are currently dedicated off-road cycle facilities alongside William Prance Road, the creation of the retail and commercial uses fronting onto this road may provide the opportunity to relocate this provision on-street. This would necessitate a 1.5m wide route in either direction on William Prance Road. This is likely to result in the overall street dimensions being closer to 18m than 15m (as indicated within the Design Codes).

I.103 Internal streets within the development should be designed in accordance with the concept of a 'Home Zone', with reduced traffic speeds which encourage greater priority towards cyclists and pedestrians. The provision of on-street car parking (which it should be noted cannot be allocated to individual properties) can be effective in helping to reduce traffic speeds along with landscaping and tree planting.

I.104 A minimum of 2 car club spaces should be provided within the residential area of the first Phase A1. It is recommended that these spaces be located close to the community hub buildings.

I.105 As the site is generally quite steep, consideration should be given to ensure that any footway/cycleway routes are built to the maximum gradient of 1:12 (although ideally 1:20). If sections of steps are required in some locations then suitable handrails must be provided. A condition is recommended accordingly.

### Travel Plan

I.106 Whilst the final version will need to be subject to a suitably-worded condition, the applicant has proposed a number of measures/initiatives to mitigate the residential and employment related trips generated by the proposed development.

I.107 One of those key measures is the provision of a bus service linking the Seaton Neighbourhood development to the existing public transport interchange at Derriford Hospital (to the north) and Crownhill Local Centre (to the south). Such a service would be delivered either through the provision of a new service or extension of an existing service. A substantial financial contribution (£750k) will be secured through a S.106 contribution to deliver such a service for a minimum period of 5 years. (5 years often being the length of time after which a bus service should be self-supporting).

I.108 In order to ensure that there is sufficient critical mass to support such a service, it is recommended that the first payment for the supported bus service be received upon occupation of the 100th house on phase A1. Subject to funding applications for the construction of the FVLR being successful, the above-mentioned trigger point for the supported bus service should result in the bus service still being operational once the FVLR has been constructed, after which the site would then be served by those bus services that have diverted along FVLR (including the Park and Ride services from Sherford).

I.109 Further measures included within the Travel Plan (which are also to be secured through S.106 contributions) include:-

- Establish and run a car club for a minimum period of 3 years (£125,000)
- Public Transport Infrastructure – boarder, shelter and RTPI (£25,000)
- Monthly Travel Pass for all residential units (£57,000)
- Monthly Travel Pass for all commercial floor space employees (£43,400)
- Travel Plan Admin costs (excluding employment costs of the Travel Plan Coordinator) (£46,200)

I.110 Including the contribution for the subsidised bus service, the total cost of Travel Plan related measures totals £1.047m.

I.111 In view of the changes that will come about as a result of the creation of the Forder Valley Link Road (improved site accessibility by all modes but in particular public transport), the Travel Plan measures are very much focussed on mitigating the impacts of the phase A1 trips and this is reflected in the Section 106 trigger points for these payments (set within the 'Local Finance Considerations' section below).

I.112 Whilst the applicant has submitted details of a Framework Travel Plan for the site, it is recommended that a specific condition be attached relating to the final details of the Travel Plan being approved by the Local Planning Authority, as further changes are likely to be required (such as reference to the area-wide Travel Plan being developed for the Derriford area). It is also noted that the applicant agrees to fund, through a S106 Obligation, the employment of a Travel Plan Coordinator for the site. Details of such employment would need to be agreed through the associated Travel Plan condition.

### Construction Traffic Management Plan

I.113 The applicant's transport consultant has included reference to a Construction Traffic Management Plan (CTMP) within the TA. Considering the scale of development proposed, it is considered appropriate that there is a need for such a document and it is therefore recommended that a condition be attached relating to the need for such. The CTMP will need to refer to the fact that the A386 is a particularly sensitive route in terms of traffic movements and therefore no deliveries to the site will be permitted to occur before 9am and after 3pm.

### Section 106 Agreement

I.114 In addition to securing funding for measures that will be delivered through the Travel Plan, the applicant will also be required to make a financial contribution of £2m towards strategic transport infrastructure within the Derriford area. This could be one of two schemes; The Forder Valley Link Road and the Derriford Roundabout Improvements (replacing the existing roundabout with the four-arm signalised crossroads).

I.115 In addition to the above, further obligations included within the S.106 Agreement include the provision of a financial sum of £300k towards highway works at the PIMTP junction, an obligation to undertake Section 278 works on Forder Valley Road to provide a suitable means of access to the area of residential development at Poole Farm and a commitment to funding the Travel Plan Coordinator posts for a set period of time.

I.116 To conclude, there are no highway objections to this application subject to the various conditions mentioned below being attached to any grant of consent along with a S106 Agreement which secures the various financial contributions and obligations mentioned above.

**The impact of the development upon the setting of the adjoining Scheduled Ancient Monument.**

I.117 The Scheduled Ancient Monument known as Bowden Battery lies to the immediate south of the application site. The battery was connected to Forder Battery and Egguckland Keep to the east, and Crownhill Fort to the west, by a military road (Fort Austin Avenue). By 1996 it was recognised that the north *glacis* (slope) of the Battery merited preservation, and in 2004 the scheduled area was subsequently extended by English Heritage (EH) as far north as Forder Stream.

I.118 The application site does not lie within a conservation area and contains no listed buildings. Two Grade II listed buildings, Fursdon Farmhouse and Barn are located some 250m to the northeast of the development site. It is considered by officers that the setting of these listed buildings will not be adversely affected by the proposed development.

I.119 In considering the impact of the development upon the setting of Bowden Battery, the adjoining Scheduled Ancient Monument, officers gave due consideration of the framework set by government policy, in this instance the NPPF, Core Strategy Policy CS03 and the Submission Draft Derriford and Seaton AAP Policy DS03.

I.120 Section 12 of the NPPF, entitled Conserving and Enhancing the Historic Environment provides guidance for planning authorities, property owners, developers and others on the conservation and investigation of heritage assets. Overall, the objectives of Section 12 of the NPPF can be summarised as seeking the:

- (i) Delivery of sustainable development;
- (ii) Understanding the wider social, cultural, economic and environmental benefits brought by the conservation of the historic environment;
- (iii) Conservation of England's heritage assets in a manner appropriate to their significance, and
- (iv) Recognition that heritage contributes to our knowledge and understanding of the past.

I.121 Section 12 of the NPPF recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term. Paragraph 128 states that planning decisions should be based on the significance of the heritage asset, and that level of detail supplied by an applicant should be proportionate to the importance of the asset and should be no more than sufficient to review the potential impact of the proposal upon the significance of that asset.

I.122 Core Strategy Policy CS03 advises that the Council will safeguard and where possible, enhance historic environment interests and the character and setting of areas of acknowledged importance, including amongst others, scheduled ancient monuments.

I.123 Derriford and Seaton AAP Policy DS03 advises that development proposals should support the contribution that the historic assets can make to enhancing Derriford's unique character and identity by increasing their visibility and accessibility. With respect to Bowden Battery Glacis it states that this "should be managed sympathetically as part of the Community Park".

I.124 Officers are satisfied that through the submitted Environmental Statement, adequate assessment and consideration has been given to the setting of the scheduled ancient monument.

I.125 Officers agree with the conclusions within the submitted Environmental Statement, that there will be a potential low adverse visual impact on the setting of Bowden Battery, as both the battery and its glacis currently look out to rural views which have been largely unchanged since the monument was built in the second half of the 19<sup>th</sup> Century.

I.126 However, the proposed development will be sympathetically designed to ensure that this visual impact is minimised and no new development will take place within 160m of the edge of the glacis.

I.127 Management of the country park will also ensure that the setting of the glacis will not be adversely affected and consideration will be given to using the country park and One Planet Living Centre to increase awareness of the Battery.

I.128 On this basis, officers are satisfied that the proposed development will have no direct impact on any designated heritage asset and will have no more than a minor adverse visual impact on the setting of the Bowden Battery Scheduled Ancient Monument. When weighed against the wider public benefits of the proposal as identified within this report, the development is therefore considered to accord with the policy and provisions of the NPPF, Core Strategy Policy CS03 and Derriford and Seaton AAP Policy DS03.

### **The ability of the development to address local housing need**

I.129 The site is located within the Northern Growth area of the City, as identified in the Local Development Framework Core Strategy, and is of strategically important scale in terms of potential housing delivery for the City.

I.130 Plymouth has an agenda to grow and as part of this there is a priority to increase housing supply including affordable housing. Affordable housing need within the City is very high, due to low income levels compared to house prices, a situation that is exacerbated by current financial insecurity in the wider economy. Consequently, individuals and families seeking to enter the housing market for the first time are being adversely affected and housing waiting lists are also increasing. In June 2013 there were more than 10,000 households on Plymouth's housing register.

I.131 New residential led mixed use development will make a valuable contribution to the City's growth agenda, while also meeting the City's housing need through the provision of affordable and open market housing.

#### Housing Mix

I.132 The site straddles two neighbourhood boundaries. On the west side, the site lies within Derriford West and Crownhill neighbourhood area and on the east side, the site is located within the Estover /Glenholt and Derriford East neighbourhood. The 2011 census profile of information for these neighbourhood areas shows that in Derriford West and Crownhill there is 13% affordable housing and in the Estover/ Glenholt and Derriford East there is 18% affordable housing. Both areas are below the city average of 20% affordable housing.

I.133 In terms of the creation of sustainable communities within the Core Strategy (Policy CS01), the proposed housing mix for this site includes both smaller houses, terraced properties and flats within the housing mix, which will tend to appeal to the younger age groups and families. This will help to ensure balanced and sustainable population profiles are created. In addition, if there are elderly people in the neighbourhood who wish to downsize (perhaps to a more fuel efficient property) this may result in the release of some under-occupied larger properties to the housing market. A condition is recommended to ensure that each phase of the development includes a sufficient mix to ensure that the respective phase delivers sustainable development. The proposed housing mix is therefore supported.

#### Affordable Housing Quantum/ Viability

I.134 Within the Core Strategy, CS15 sets out the requirement of at least 30% affordable housing provision (subject to viability assessment). It is in the context of the City's extremely high levels of affordable housing need that all development viability assessments are considered.

I.135 Applying Core Strategy policy CS15 to the development proposal at the outline planning application stage needs to remain in the form of percentage requirements, where total dwelling numbers are yet to be determined. The application states total residential numbers are up to 873 dwellings and based on this, 30% affordable housing level would equate to 262 affordable housing units. However, at this outline stage, it would be practical to operate the affordable housing requirements based on percentages.

1.136 In accordance with adopted planning policy, discussions have taken place on the grounds of development viability issues which have arrived at an offer by the applicant to provide 20% affordable housing. This affordable housing offer has been tested on development viability grounds and is considered to be sufficiently robust to warrant commending it to members as a basis to conclude s106 clauses for on-site affordable housing provision.

**Affordable Housing Quality**

1.137 In addition to the quantum of affordable housing, it is important to ensure the quality of affordable housing delivery. The affordable housing and Planning Obligation Supplementary Planning Document (second review) amplifies the requirements of affordable housing policy CS15 within the Core Strategy.

**Representative Mix**

1.138 The proposed affordable housing mix which has been discussed is outlined below and is considered to be broadly representative of the overall housing mix likely to be delivered by the outline development.

<b><u>AFFORDABLE HOUSING AT 20% of overall dwelling numbers</u></b> (Minimum of 175 units to be affordable)
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**Affordable housing mix breakdown**

<b><u>TYPE</u></b>	<b><u>PERCENTAGE</u></b>
1/2 Bed Flat	14% (Minimum of 24 units)
2 Bed House	36% (Minimum of 63 units)
3 Bed House	40% (Minimum of 70 units)
4 Bed House	10% (Minimum of 18 units)
	<b>100%</b> (Minimum of 175 units)

1.139 The affordable housing mix percentages will be secured by condition and as part of the S106 Obligation clauses.

**Tenure**

1.140 A mix of tenures should be incorporated with the preference being for the provision of rent (social and affordable) and shared ownership (intermediate) at a ratio of 60:40, which are specified in the S106 Obligation clauses.

**Dwelling Sizes**

1.141 The proposed units appear to broadly comply with Housing Association standards, although a more detailed check would be required in the process of negotiating a sale agreement with the Registered Provider, under the terms of the S106.

1.142 Locations of affordable housing proposed will need to be reasonably well dispersed, although small clusters of up to 12 Affordable housing units are likely to be acceptable given the scale of the proposed development.

Parking

I.143 Proportionate parking allocation will be required for the affordable housing units.

Service Charge

I.144 Through the S106 clauses, a capped level of service charge is required for the Affordable Housing units to ensure total housing cost affordability, as per the Planning Obligation and Affordable Housing Supplementary Planning Document (SPD) (Second Review).

Disabled housing and Lifetime Homes:

I.145 The National Planning Policy Framework requires that all aspects of local housing need are assessed in order to form a basis for local housing policy provision. Plymouth has identified (both through its Housing Register and Housing Market Needs Assessment) that it has high levels of un-met housing need for households which include physically disabled people. Negotiations have taken place with the applicant regarding the provision of eight of the affordable dwellings to be provided as fully adapted disabled specification dwellings (4 houses and 4 flats). This enhancement to the affordable housing package has been agreed by the applicant, to be incorporated into the S106 requirements, and forms a significant enhancement (additionality) to the affordable housing provision for this site.

I.146 Within the Core Strategy, Policy CS15 requires that 20% of all new dwellings built within Plymouth shall be constructed to Lifetime Homes Standards. Lifetime Homes 'Habinteg' Standards allow for the future proofing of all new dwellings and should be considered desirable in all cases.

I.147 The Provision of 20% Lifetime Homes will be required to comply with the policy through planning. These units should be provided in both the open market and affordable properties in order to allow purchasers of the open market properties the opportunity to buy Lifetime homes.

Conclusion - Affordable Housing and Lifetimes Homes

I.148 Officers have welcomed the engagement with the applicant to support and enhance the development of the affordable housing offer and ensure that both the Council's and applicant's aspirations of a sustainable community are delivered. A negotiated affordable housing and specialist housing solution has been proposed (as outlined above) which is considered to be acceptable and is therefore recommended for approval subject to appropriate clauses being imposed within the S106 Obligation.

**The impact of the development upon greenspace, wildlife and biodiversity.**

1.149 The Seaton Neighbourhood will include the development of an area of greenspace in the north of the City that currently consists of inaccessible farmland. To comply with Core Strategy policies CS18 (Greenspace) and CS19 (Wildlife), the application needs to demonstrate that it will deliver improved quality and quantity of accessible greenspace and a net gain in biodiversity. This should be delivered by designing in important wildlife features, reducing impacts and ensuring that unavoidable impacts are appropriately mitigated for and providing an overall enhancement for biodiversity. These Core Strategy policies are considered to be consistent with the NPPF, in particular para. 9 which sets out the objective of net gain in biodiversity, and para. 74 which sets out circumstances where a general presumption against loss of existing open space may be acceptable.

1.150 The application responds positively to the requirements of the Core Strategy by:

- The provision of over 38ha of land (currently owned by the applicant) and a financial contribution towards the delivery of Derriford Community Park which will provide a significant accessible green space resource for the City;
- The submission of high quality wildlife surveys that informed the design of the neighbourhood and the Park;
- The submission of a deliverable wildlife mitigation and enhancement strategy that will result in a net gain in biodiversity.

1.151 Although an area of green space will be lost as a result of development, the application complies with Core Strategy Policies CS18 and CS19 by delivering a significant quality improvement in terms of greenspace function and wildlife value. Furthermore, greenfield development in this location was clearly anticipated by Policy AV9 (Area Vision 9) with its accompanying diagram. Without the development of the adjacent greenspace for the Seaton Neighbourhood the delivery of Derriford Community Park would not be possible.

1.152 The application site comprises almost 68ha made up of habitats including grassland [48ha], woodland [13ha], scrub [3ha], marshland [0.6ha] and orchards [0.2ha].

**Surveys**

1.153 This application has been subject to the Environmental Impact Assessment process. A series of surveys have taken place at the site since 2005 to establish the current wildlife interest on the site and the potential impacts of the proposed scheme. The site has been the subject of a full Extended Phase I Habitat Survey and the following protected species surveys: bats, badgers, reptiles, dormice, breeding birds and hedgerows have been undertaken. These surveys have been reviewed and it can be confirmed that they provide an appropriate level and quality of information to inform the application. The surveys highlighted the following important features:

- At least 8 species of bats have been recorded on the site and a high level of activity was recorded during the surveys. Rare species such as Barbastelle, Lesser Horseshoe and Greater Horseshoe were recorded;
- Two badger setts were recorded;
- Reptiles have been recorded in the extensive grasslands;
- No dormice are present on site;
- A total of 24 bird species were recorded breeding on site, only one of these [House Sparrow] is on the Red List;
- The invasive Japanese Knotweed was identified on site.

### Enhancements

1.154 Officers have worked with Natural England and the developer to negotiate significant nature conservation enhancements over and above those proposed when the scheme was originally submitted. These enhancements include:

- Creation of a Community Park [which will be passed to the Council to be managed cooperatively with partners];
- Creation of over 15ha of species rich grassland [wildflower meadows];
- Creation of over 1 mile of species rich hedgerows;
- Enhancement of 1 mile of existing hedgerows;
- Creation of over 1ha of orchard;
- Enhancement of 3ha of woodland;
- The delivery of new corridor features to allow bats to commute across the site;
- Enhancement of one building for roosting bats.

1.155 The application is accompanied by Construction Environment Management Plan [CEMP] framework which establishes the principles for protection measures for pre-construction, construction and post-construction phases of the development. This will include updated surveys for bats, badgers, reptiles and otter; creation of a badger sett and limiting lighting levels. A condition is recommended to be placed on the application to ensure finalised CEMPs are submitted prior to each stage of the development commencing.

1.156 It is recommended that Ecological Management Plans will be pre-commencement conditions to ensure that ecological features both within the development footprint and within the new Community Park are managed appropriately for wildlife in perpetuity.

1.157 Officers and Natural England are now satisfied that these measures will lead to sufficient protection for protected species and deliver net biodiversity gain across the site in line with:

- Core Strategy Policy CS19 which states that ‘development retains, protects and enhances features of biological interest, and provides for the appropriate management of these features’
- The NPPF paragraph 109 which states that ‘The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible’

- The NPPF paragraph 118 which states that ‘opportunities to incorporate biodiversity in and around developments should be encouraged’

#### Greenspace

1.158 Officers are satisfied that this development will comply with Core Strategy Policy CS18 [Greenspace] which states that ‘development proposals will improve the quality and quantity of accessible greenspace’. Whilst the development will result in a loss of greenspace quantity, it will provide open access to a large area (38.67 HA) of previously privately owned land and improve the quality of the greenspace.

1.159 The planning application area is currently private farmland which is inaccessible to the public. The greenspace value of the land is therefore limited to landscape amenity and wildlife value. Although a portion of this greenspace is to be lost to facilitate the development of the Seaton Neighbourhood, the remaining area will be enhanced to improve the quality and value of this greenspace site. The development will result in 38.67ha of land being leased to the Council and a financial contribution that will initiate the delivery of Derriford Community Park.

1.160 The delivery of Derriford Community Park will enable access to be opened up across the site, the development of the One Planet Centre and Community Farm which will include community food growing areas and places for play, relaxation and recreation. The development will not fund the complete delivery of the Park, as detailed in the Masterplan, but will make a significant contribution to this significant Green Infrastructure project.

1.161 Due to the contribution the development is making towards the delivery of Derriford Community Park and the consequential increase in greenspace quality the loss of a green space quantity is deemed to be acceptable. The development will result in an improvement to the quality and quantity of accessible green space and therefore complies with Core Strategy policy CS18.

#### Retention of Significant Trees and Hedgerows

1.162 It is noted that there are a number of significant and well established trees within the site. The benefit of retention of these features is that they add identity, maturity and a sense of community to the proposed new neighbourhood through a continuity link with the past. They are also considered to have a high nature conservation value that cannot adequately be mitigated for in the short or medium term. In design terms, without such features, new developments can often be left as a bland, featureless massing of roofs and brickwork, punctuated by trees of lesser merit that are frequently less robust.

1.163 There is significant policy backing for the retention of significant and well established trees. The NPPF in paragraph 118 states that: *“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss”*

1.164 Core Strategy Policy CS18 (4) relates to the Council ‘Using its planning powers to safeguard important trees and hedgerows’, there is also a legal duty under Section 197 of the Town and Country Planning Act 1990 to make adequate provision for the preservation (and planting) of trees when granting planning permission by imposing conditions and making Tree Preservation Orders.

1.165 Core Strategy Policy CS18 (2) Requires development proposals to improve the quality and quantity of accessible greenspace where appropriate; This can be applied to these historic hedgebanks and their retention as features in the proposed new neighbourhood.

1.166 Whilst it is noted that this application reserves all matters for future approval, indicative layout plans indicate that some key trees could be removed if these layout plans are later submitted as proposed layout at Reserved Matters.

1.167 Accordingly a condition is recommended to ensure that the details submitted through the Reserved Matters process make adequate provision for the retention and protection of key and significant trees and that there is more retention of hedgebanks, or at least sections of hedgebanks containing special veteran trees of note, wherever possible.

Habitats Regulation Assessment (HRA)

1.168 A Habitats Regulation Assessment was carried out for this development and concludes that the development will not have a significant effect on the integrity of the European Marine Site. Natural England has confirmed that it agrees with the conclusions of the HRA.

Green Infrastructure Contributions

1.169 In order to meet the reasonable costs of the new infrastructure made necessary by the proposal. The development will be required to contribute to the delivery of strategic infrastructure, to enable cumulative impacts of developments to be managed in a sustainable and effective way and support the delivery of the City Vision. A development of this scale would be required to contribute the following financial amounts (before viability assessment work):

Infrastructure Provision	Amount
Local Green space	£493,805
Children's play space	£324,044
Playing pitches	£895,746
Strategic Green space	£1,101,359
Total	£2,814,953

1.170 As part of the application, land for the delivery of Derriford Community Park will be provided by the applicant that has a land value that can be deducted from this contribution figure.

I.171 The land to be leased to the Local Authority for the creation of the Park will include:

Poole Farm - £300,000; The Community Park land itself illustrated on Masterplan SK-130710 Rev C (45ha/111 acres) - @£6000/acre = £666,000.

Total = £966,000.

I.172 The overall required contribution amount minus value of the land for the Park would therefore equate to £1,848,953

I.173 Due to the importance of delivering the Park and the viability issues of the development, it is proposed that this development does not contribute to Playing Pitches. Therefore the Green Infrastructure Contribution for the Park is proposed as £1,848,953 - £895,746 = £953,208 towards local green space, children's play space and strategic play space.

I.174 This should be provided early in the development to ensure that the Park is available for the new community. Phasing of the payments is proposed as:

- 50% prior to commencement of development = £476,604.
- 50% 2 years after commencement of development = £476,604.

I.175 It is important that the payments are made on calendar years from the commencement of development rather than linked to a phase of development. The development of Derriford Community Park will commence once the land is made available. Enabling community access to this site will be delivered at an early stage with a phased approach to access provision within the Park. The Council therefore requires complete certainty over the availability of the development contributions to enable this work to be delivered. Once access is enabled, shutting the Park would be impossible. The provision of these contributions therefore need to be linked to calendar years rather than to phases of the development.

### Biodiversity Contribution

I.176 The development will result in a loss of:

- 33.5ha of improved/semi-improved grassland;
- 0.8ha of Unimproved neutral grassland;
- 1.9ha ephemeral
- 0.7ha of scrub;
- 0.35ha of woodland;
- 277m of hedgerow.

I.177 To make the development acceptable, significant mitigation is required. This will include the following provision within the community park:

- Planting an orchard;
- Delivery of 15ha of unimproved neutral grassland;
- Enhancement of 3ha of broadleaved woodlands.

I.178 The management of these features will be essential to gain the biodiversity value needed to mitigate and compensate for the impacts of the development. The applicant has provided the costs related to the delivery of these improvements. Below are the figures that are needed to manage the Park and the phasing of the payment. Figures are taken from the Landscape Ecology strategy with an assumption that 5ha of the grassland will be cut and the remaining areas will be grazed. The total cost for implementing and delivering the mitigation/compensation works = £514,090

I.179 This will need to be provided at the following stages:

- On hand-over of the land – £218,446 towards grassland management, retained woodland management and new planting, hedgerow enhancement, planting and management, orchard planting and management and bat and bird box management.
- One year after hand-over of the land – £139,837 towards grassland management, retained woodland management and new planting, hedgerow enhancement, planting and management, orchard planting and management and bat and bird box management.
- Five years after hand-over of the land – £155,807 towards grassland management, retained woodland management and new planting, hedgerow enhancement, planting and management, orchard planting and management and bat and bird box management.

I.180 These figures only relate to management of features within the Park and do not include the maintenance of green spaces within the development area or for the maintenance of sustainable urban drainage systems that may need to be installed within the Park. These costs do not cover any mitigation works needed for the future road link.

### **Other Issues**

I.181 Devon and Cornwall Police Architectural Liaison Officer is opposed to the planning proposal in its current design and layout on the basis that no reference is made in any of the submitted documents explaining how the developer will be complying with council policy CS32 – Designing Out Crime. Further, there is no mention either of ‘Safer Places’ - The Planning System and Crime Prevention, nor any mention of building to Secured By Design standards.

I.182 The application is an Outline planning application with all matters reserved with respect to the core residential and commercial development. A condition is therefore recommended to ensure that the development complies with Core Strategy Policy CS32.

1.183 Third party concerns regarding loss of private views and impact of the development upon neighbouring resident's house values is not a material planning consideration.

**Human Rights Act**

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

**Local Finance Considerations**

**Section 106 Obligations**

A planning obligation is required to mitigate the impacts of the proposal. The details of the Heads of Terms are set out below:

1. Community Park - Upon signing of the agreement the applicant shall grant a 999-year lease to the Council with regards all land and buildings required for the Community Park the details of which shall have been previously submitted to LPA.
2. Affordable Housing – Minimum of 175 units to be affordable - this represents 20% of the total number of units for each and every phase. The affordable housing mix shall be delivered on a representative formulaic basis. For illustrative purposes, on the basis of the current application, this can be broken down as follows:

<u>TYPE</u>	<u>PERCENTAGE</u>
1/2 Bed Flat	14% - minimum 24 units
2 Bed House	36% - minimum 63 units
3 Bed House	40% - minimum 70 units
4 Bed House	10% - minimum 18 units
	<b>100%</b> - minimum 175 units

3. A clause is required to ensure eight affordable units are constructed so as to be fully adapted to disabled specification (4 houses and 4 flats) split over the two phases.
4. A clause is required to ensure a mix of tenures is incorporated over the two phases, with the preference being for the provision of rent (social and affordable) and shared ownership (intermediate) at a ratio of 60:40,
5. A capped level of service charge is required for the Affordable Housing units to ensure total housing cost affordability, as per the Planning Obligation and Affordable Housing Supplementary Planning Document (SPD) (Second Review).

6. Viability Review Mechanism

It should be noted that the recommended Head of Terms have been based upon a viability appraisal where many of the key inputs are now almost 2 years old. Since the completion of the original viability report market conditions have improved and Plymouth City Council has taken on responsibility for constructing the Forder Valley Link Road. In addition, it can be reasonably assumed that a development of this scale is very likely to be undertaken by a volume house builder and therefore the project's actual build costs could be lower than those in the viability appraisal. This could potentially result in a greater degree of profit within the scheme.

It is therefore recommended that this point be addressed through the introduction of a review mechanism (claw-back mechanism) within the S106 Agreement which would require a revised development viability appraisal to be submitted initially prior to the commencement of phase A1 and then again prior to the commencement of Phase II, to capture any profit (on cost) made over and above a 20% level. In the interests of reasonableness, it is suggested that any overage resulting from the review mechanism be shared between the Council and the applicant (60:40 split) and that the amount that can be recovered through this claw back mechanism will be capped to a level to be agreed with the applicant in accordance with the parameters of the Planning Obligations and Affordable Housing SPD (second review).

7. A clause is required with regards the developer being required to fund the post of the Residential and Commercial Travel Plan Co-ordinator's as follows:-

(i) The Residential Travel Plan Coordinator shall be appointed 3 months prior to first occupation of any residential unit on Phase A1 and shall remain in post until 1 year following the last occupation of any residential unit on Phase A2.

(ii) The Employment Travel Plan Coordinator shall be appointed 3 months prior to first occupation of the commercial floor space on Phase A1 and shall remain in post until 1 year following the last occupation of any commercial unit / floor space in Phase A2.

8. Transport Contributions

A transport contribution totaling £3,371,600 is required. This can be broken down as follows:

Travel Planning:-

(i) £125,000 contribution to create a Car Club. Payment trigger is on occupation of the 100<sup>th</sup> dwelling. The trigger date is based upon securing enough of a critical mass of development to support the Car Club which shall operate for a minimum of 3 years.

(ii) £25,000 contribution to Public Transport Infrastructure (Boarder, Shelter and Real Time Public Information) to be provided at the top of the section of the Link Road being constructed by the developer. Payment trigger is upon commencement of development and as it is unclear as to when during Phase A1 this section of highway will be constructed, funding is requested upfront so that the Public Transport infrastructure can be factored into the highway works from the outset.

(iii) £750,000 contribution to Subsidised Bus Service. Payment triggers are £375,000 upon occupation of 100<sup>th</sup> dwelling. Second payment of £375,000 within 18 months of receipt of first payment. The reason for the phasing of the funding is that a balance needs to be struck between getting enough of a critical mass to support such a service yet not introducing it so late that resident's travel patterns are established. As funding will support a service for 5 years, delaying the first payment would extend the service up to Summer 2020.

(iv) Monthly Travel Passes (Both Residential and Commercial required):

a) Residential – Total £57,000 contribution towards Monthly Travel Pass (Residential).

Phasing payment trigger is £22,750 within 6 months of the commencement of development (Phase A1) and second payment of £22,750 towards Monthly Travel Pass (Residential) prior to commencement of the second development phase A2. This payment needs to be received prior to commencement of the subsidised bus service so passes can be allocated to residents as the service starts.

b) Commercial – Total £43,400 contribution towards Monthly Travel Pass (Commercial B1).

Phasing payment trigger is £5,400 within 6 months of the commencement of development (Phase A1 passes) and second payment of £38,000 prior to commencement of Phase A2. The payment needs to be received prior to commencement of Subsidised Bus Service so that passes can be allocated to staff as the service starts.

(v) £46,200 contribution towards Travel Plan Admin Costs.

Payment trigger is £23,100 within 6 months of the commencement of development. Second payment of £23,100 prior to commencement of Phase A2. This contribution has been calculated on the basis of the cost of an information pack (£30) for each property and employee residing at or working on the site. However expenditure will not be restricted to just supplying Travel Information Packs and shall be used by the TP Coordinator as they see fit (website set-up etc).

(vi) Strategic Transport - £2Million contribution towards Forder Valley Link Road and related transport improvements to mitigate the strategic transport impacts of the development.

First payment of £1 Million trigger is upon occupation of the 100<sup>th</sup> house on Phase A1, a second payment of £1 Million trigger is required within 18 months of receipt of first payment or upon occupation of the 200<sup>th</sup> house on Phase A1 (whichever is sooner). The contribution will then need to be spent within 10 years from the date of receipt.

(vii) Local Highway Improvements –

Section 278 Agreement required - £300,000 contribution towards Improvements on the Local Highway Network, these include a scheme of improvements at Derriford Roundabout (2016/2017) and part of that scheme includes extending the capacity of the right turn into William Prance Road from the A386. Modelling work undertaken in support of the application identifies the need for such in order to facilitate development traffic. To ensure that this funding is included within this scheme it is considered justified that this contribution be secured early. The payment trigger is therefore upon commencement of development.

(viii) £25,000 contribution towards a Bus Lane Enforcement Camera on Colborne Road in order to provide suitable measures to restrict the use of Colborne Road to buses only. Securing this with a Traffic Regulation Order only would not be an affective measure. The payment trigger is upon occupation of the 100<sup>th</sup> dwelling (to tie-in with the subsidised bus service).

9. Education Contribution:

On 1 August 2013, £4,394,672 funding for the delivery of a two form entry primary school was granted. This is estimated to be enough to cover the cost of the school but not the land purchase. This is a material planning consideration when considering the precise level of contribution required to mitigate the impacts of the development.

The Council is currently considering an acquisition of land through the Capital Programme in order to deliver the school.

In discussions with the Education Authority it has been agreed that in light of the above grant funding, a financial contribution of £731,561 is required towards meeting the primary education needs of the development through provision of a new primary school or increasing the capacity of nearby existing schools payable upon commencement of Phase I of the development. The contribution is based on the standard formula applied to the percentages of house types within the overall development. The figure represents the Primary contribution for phase I of the development (350 homes). The secondary contribution (which would have been £845,993) has been waived because there is sufficient secondary capacity until 2018.

The development of the second Phase 2 results in a further demand for secondary school places. A financial contribution of £1,264,156 towards meeting the secondary education needs of the development (increasing the capacity of nearby existing secondary schools) is therefore required, payable upon commencement of development of Phase II.

10. Green Infrastructure Contribution:

Total payment of £953,208 towards local green space, children's play space and strategic play space.

Phasing of the payments is proposed as:

- 50% prior to commencement of development = £476,604.
- 50% 2 years after commencement of development = £476,604.

It is important that the payments are made on calendar years from the commencement of development rather than linked to a phase of development.

11. Biodiversity Contributions:

Total payment of £514,090 required. Phasing of the payments is as follows:

- On hand-over of the land – £218,446 towards grassland management, retained woodland management and new planting, hedgerow enhancement, planting and management, orchard planting and management and bat and bird box management.
- One year after hand-over of the land – £139,837 towards grassland management, retained woodland management and new planting, hedgerow enhancement, planting and management, orchard planting and management and bat and bird box management.
- Five years after hand-over of the land – £155,807 towards grassland management, retained woodland management and new planting, hedgerow enhancement, planting and management, orchard planting and management and bat and bird box management.

12. Public Protection - Air Quality

A contribution is required totalling £4,195 towards air quality assessment and monitoring. This is required to assess the impact of the development on air quality inside the application area and on adjoining areas where air quality has been identified as being already poor such as the adjoining Air Quality Management Area on Tavistock Road. This is payable upon commencement of development.

13. S106 Management Fee

In accordance with the Planning Obligations and Affordable Housing SPD (Second Review), a Planning Obligation Management Fee will be payable on the signing of Section 106 agreements to meet the Council's costs in administering and implementing the agreement. The level of fee is reviewed on an annual basis and published in Planning Services Fees Policy (see <http://www.plymouth.gov.uk>). This calculates that the management fee (based on £2.69 per gross internal floor area of development) and with an average house size of 85 sqm @ 873 residential units and 11,000 sqm commercial floorspace would equate to £229,201.

On this basis, this S106 package of measures demonstrates that the development will meet the reasonable costs of the new infrastructure made necessary by the proposal. It will contribute to the delivery of strategic infrastructure, to enable cumulative impacts of developments to be managed in a sustainable and effective way and support the delivery of the City Vision.

Community Infrastructure Levy

The provisional Community Infrastructure Levy liability (CIL) for this development is £2,434,020. This information is based on an estimate of the proposed floorspace contained in the submitted appraisal.

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development at each phase of reserved matters. The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and is also index-linked. The liable party should check the current rates at the time planning permission first permits development see [www.plymouth.gov.uk/cil](http://www.plymouth.gov.uk/cil) for guidance.

It is noted that the affordable housing element is likely to comply with the social housing relief conditions. If social housing relief is applied for and given for 20% of the new dwellings, at the current rate it would equate to a reduction of £486,810, and a therefore a final CIL liability of £1,947,210.

There is no qualifying demolished floorspace.

New Homes Bonus

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended Section 70 of the Town and Country Planning Act 1990. This development, if fully built, will generate a total of approximately £8,341,986 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

## **Equalities and Diversities Issues**

The delivery of 873 homes will provide a good range, mix and type of housing that will benefit the local community and provide adequate accommodation to meet the needs of the growing population. The mix and delivery of affordable and lifetime homes will support an inclusive community. The housing numbers and mix proposed as part of this development will have a beneficial impact on all equality groups.

Through the creation of mixed-use developments, the new community will have the opportunity to walk or cycle to their place of employment. This could lead to a reduction in car use and positively contribute towards healthy lifestyles to the benefit of all equality groups.

The proposed delivery of an additional 8000 sq m of employment floorspace within the development proposal will create job opportunities that could benefit all equality groups.

The delivery of retail facilities will help to create a sustainable new community, providing opportunities for residents and employees to reduce the need to travel and shop locally. The retail provision will add to the services in the Derriford and Seaton area and will support all equality groups within the growing population

Through the proposed improvements to the local highway network and the proposed enhancements to the City's public transport network, accessibility to and through the Derriford and Seaton area will benefit all equality groups.

The Community Park will benefit all equality groups; it will be a great resource for education, health and exercise through the creation of new routes through the park. It could also have a beneficial impact on community cohesion and help to strengthen the existing community in this part of the City. The Community Park will also provide a highly valued recreational resource for all of the people in Plymouth. The One Planet Centre will provide a focus for community events. Food growing opportunities in the Community Park could allow the whole community to become involved and benefit from this citywide resource.

## **Conclusions**

The application site is located in an area which is identified in the adopted Core Strategy, and submission Derriford and Seaton Area Action Plan, for significant regeneration and development.

The application includes 873 residential units that will provide a mix, range and type of housing that has been demonstrated to meet local housing needs including 20% affordable housing, together with the delivery of a new community park that will support the creation of a diverse and inclusive community, and become an environmental, social and educational asset and resource for communities in and around Plymouth.

Officers consider that the development will not have a significant adverse impact on the appearance and character of the area nor upon neighbouring properties and through the sensitive design of the development at Reserved Matters stage, this impact can be minimised and need not be significantly adverse.

The impact of the development upon the highway network is considered to be acceptable taking into account the recommended planning conditions and Section 106 Obligation set out within the officer's report. The application will also enable the sustainable delivery of all planned developments in Derriford by including a new link road to connect Brest Road and the junction of Forder Valley Road and Novorossiysk Road (Known as the Forder Valley Link Road).

Officers are satisfied that the proposed development will have no direct impact on any designated heritage asset and will have no more than a minor adverse visual impact on the setting of the Bowden Battery Scheduled Ancient Monument.

On balance, the development is considered by officers to be fully supportable in terms of the policies and provisions of the National Planning Policy Framework, adopted Core Strategy and submission Derriford and Seaton Area Action Plan.

The principle of the development is therefore supported.

## **Recommendation**

It is recommended that the application be granted conditional planning consent subject to satisfactory completion of the Section 106 Obligation and the removal of the Highways Agency Holding Objection. Delegated Authority is sought to refuse the planning application if the S106 Obligation is not signed by the 31<sup>st</sup> January 2014.

## **Recommendation**

In respect of the application dated **09/11/2012** and the submitted drawings Illustrative Masterplan SK-I30710 Rev C, Indicative Sections 07710 L03.02 and 07710 L03.01, Block Reference Plan 07710 L01.03, Application Boundary 07710 L01.02, Landscape Ecology Strategy 07710 L04.01 Rev A, Mitigation Areas 07710 L01.06 Rev A, Viewpoints 1-5 (illustrative Purposes only), Landscape Strategy L04.01 Rev A, Indicative Street Hierarchy Fig 11.8 Rev A, Zone of Visual Influence and Topography Plan Fig 11.10 Rev A, Zone of Visual Influence and Viewpoints Plan Fig 11.9 Rev A, Transport Assessment and Addendum June 2013, Travel Plan Rev B July 2013, Seaton Neighbourhood Habitats Regulations Assessment August 2012, Ecological Impact Assessment March 2013, Indicative Building Heights Plan Fig 11.7 Rev A, Topography Plan Fig 11.5 Rev A, Illustrative Masterplan Fig 11.3 Rev A, Application Area Plan Fig 11.2 Rev D, Existing Vegetation Plan Fig 11.13A Rev A, Detailed Landscape Character Fig 11.12 Rev A, Environmental Impact Assessment and Regulation 22 Information, Sustainability Assessment, Planning Statement and Design and Access Statement.,it is recommended to: **Grant Conditionally Subject to satisfactory completion of the Section 106 Obligation and the removal of the Highways Agency Holding Direction (Article 25 Town and Country Planning (Development Management Procedure) (England) Order 2010). Delegated Authority is sought to refuse the planning application if the S106 Obligation is not signed by the 31<sup>st</sup> January 2014**

## Conditions

### APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: Illustrative Masterplan SK-130710 Rev C, Indicative Sections 07710 L03.02 and 07710 L03.01 (illustrative Purposes only), Block Reference Plan 07710 L01.03 (illustrative Purposes only), Application Boundary 07710 L01.02, Landscape Ecology Strategy 07710 L04.01 Rev A, Mitigation Areas 07710 L01.06 Rev A, Viewpoints 1-5 (illustrative Purposes only), Landscape Strategy L04.01 Rev A, Indicative Street Hierarchy Fig 11.8 Rev A (illustrative Purposes only), Zone of Visual Influence and Topography Plan Fig 11.10 Rev A, Zone of Visual Influence and Viewpoints Plan Fig 11.9 Rev A, Transport Assessment and Addendum June 2013, Travel Plan Rev B July 2013, Seaton Neighbourhood Habitats Regulations Assessment, Ecological Impact Assessment March 2013, Indicative Building Heights Plan Fig 11.7 Rev A, Topography Plan Fig 11.5 Rev A, Illustrative Masterplan Fig 11.3 Rev A, Application Area Plan Fig 11.2 Rev D, Existing Vegetation Plan Fig 11.13A Rev A, Detailed Landscape Character Fig 11.12 Rev A, Environmental Impact Assessment and Regulation 22 Information, Sustainability Assessment, Planning Statement, Design and Access Statement (with exception of phasing detail) and Design Code.

#### Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

### APPROVAL OF RESERVED MATTERS

(2) Approval of the details of means of access, appearance, layout, scale and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

#### Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

### SUBMISSION OF RESERVED MATTERS

(3) Plans and particulars of the reserved matters referred to in condition (2) above, relating to the means of access, appearance, layout, scale and landscaping of each and every phase of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

#### Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

### TIME LIMIT FOR SUBMISSION

(4) Application for approval of the reserved matters of Phase I shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990.

#### PHASING

(5) No subsequent phase of development hereby permitted shall be commenced until an application for approval of the reserved matters relating to that phase of development has been submitted to and approved in writing by the LPA.

Reason:

To allow the development to be built out in a phased manner consistent with conditions 1, 2 and 6 and to ensure that the development proceeds in a satisfactory manner to comply with policies CS01, CS18, CS20, CS28, CS30 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document, 2007 (CS).

#### PHASING 2

(6) As part of the first reserved matters application, a detailed phasing plan for the whole site shall be submitted to the LPA for approval in writing. The phasing plan shall include details of the individual parts of the strategic infrastructure within the site including the highways, footways, cycleways, accesses for pedestrians, cyclists, buses and vehicles, surface water drainage, green infrastructure, play-spaces. The strategic infrastructure shall be implemented in accordance with the approved details and phasing.

Reason:

To ensure that the necessary strategic infrastructure is in place at the appropriate time as the development is built out in phases to ensure that the development proceeds in a satisfactory manner to comply with policies CS01, CS18, CS20, CS28, CS30 and CS34 of the Core Strategy, policy DS05 of the Derriford and Seaton AAP and the provisions of the NPPF.

#### TIME LIMIT FOR COMMENCEMENT

(7) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

#### SUSTAINABLE RESOURCE USE

(8) An energy strategy for the whole site shall be submitted to and approved in writing by the Local Planning Authority in advance of the first application for Reserved Matters, setting out how all the relevant reserved matters areas shall meet a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable or low carbon energy production methods. This will include an investigation of low carbon community heating or district energy solutions.

This shall be accompanied by full details demonstrating how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed in writing, the approved on-site renewable or low carbon energy production methods shall be provided for each phase of the development in accordance with these details prior to the first occupation of the respective phase of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

The energy strategy will be reviewed and amended (with the approval of the Council) prior to the commencement of the development in subsequent reserved matters applications.

Reason

To comply with policy CS20 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and Government advice contained in the NPPF.

SECURE BY DESIGN STANDARDS

(9) The reserved matters submissions for each phase of the development shall include details of a scheme detailing how the principles and practices of the 'Secured By Design' scheme are to be incorporated into the development. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of creating safer and sustainable communities in accordance with The National Planning Policy Framework and Local Planning Policy CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

CODE OF PRACTICE DURING CONSTRUCTION

(10) No development shall take place on any phase of development, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the LPA for that phase of development. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

For the avoidance of doubt, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing, piling and noisy operations, control of mud on roads and the control of dust.

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

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### CONTAMINATED LAND

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

#### Section 1. Site Characterisation

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

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

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

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

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

### Section 2. Submission of Remediation Scheme

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

### Section 3. Implementation of Approved Remediation Scheme

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

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

### Section 4. Reporting of Unexpected Contamination

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

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

### Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies CS21, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

(12) No development shall take place on any phase of development until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the LPA for that phase of development. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The development shall be carried out in accordance with the Construction Environment Management Plan.

#### Reason

To ensure that adequate measures are put in place to avoid or manage the risk of pollution or waste production during the course of the development works in the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS22 and CS34 and Government advice contained in the NPPF.

#### ECOLOGICAL MANAGEMENT PLAN

(13) Unless otherwise previously agreed in writing with the Local Planning Authority, prior to commencement of development, a detailed Ecological Management Plan (EMP) shall be submitted to and approved in writing by the Local Planning Authority and ecological features will be managed in perpetuity in accordance with the agreed provisions. For the avoidance of doubt, the EMP will cover full management prescriptions for both the development area and the Countryside Park.

#### Reason

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

#### EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

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

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

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

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

Reason:

To ensure that trees or hedgerows are protected during construction work and thereafter are properly maintained, if necessary by replacement in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### ARBORICULTURAL METHOD STATEMENT

(15) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (12) 2007 and Government advice contained in the NPPF.

#### LANDSCAPE DESIGN PROPOSALS

(16) No development shall take place on any phase of development until full details of both hard and soft landscape works and a programme for their implementation for that phase of development have been submitted to and approved in writing by the LPA and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection]. Detailed sections shall be submitted at a minimum scale of 1:20

specifying tree planting pit proposals. The landscape works shall proceed in accordance with the approved scheme.

Reason:

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

### SOFT LANDSCAPE WORKS

(17) Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

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

### LANDSCAPE WORKS IMPLEMENTATION

(18) All hard and soft landscape works shall be carried out in accordance with the approved details. The works for any phase of development shall be carried out prior to the occupation of any part of that phase of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

### LANDSCAPE MANAGEMENT PLAN

(19) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

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

#### DETAILS OF EARTHWORKS

(20) No development shall take place until details of earthworks for each phase of the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and modelling of the land areas including the levels and contours to be formed, showing the relationship of the proposed modelling to existing levels and contours, vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

#### Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### DETAILS OF TREE PLANTING

(21) The plans and particulars of the landscaping works submitted in accordance with condition 16 above shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

#### Reason:

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

#### TREE REPLACEMENT

(22) For each phase of development, if within a period of five years from the date of the occupation of the last building within that phase of the development or from the planting of any tree within that phase, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

#### Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and are subsequently properly maintained, if necessary by replacement and Government advice contained in the NPPF.

#### DETAILS OF ENCLOSURE AND SCREENING

(23) No development shall take place on any phase of the development until there has been submitted to and approved in writing by the Local Planning Authority details of all means of enclosure and screening to be used on that respective phase. The works shall conform to the approved details and shall be completed before the development is first occupied.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

TREE / HEDGEROW / GREENSCAPE PROTECTION

(24) ) Notwithstanding the details submitted, applications for Reserved Matters approval within any Reserved Matters Areas shall be accompanied by full details of the landscaped areas, trees and hedgerows to be retained (which shall include the existing land to be designated as community parkland and the key trees and/or hedgerows to be retained within the site and on the boundaries of the site) shall be identified and agreed in writing by the Local Planning Authority (LPA) together with details for protection with appropriate fencing. The location of fencing and a programme for its provision and retention shall be approved in writing by the LPA. Fencing for the protection of any retained trees or hedgerows shall be undertaken in accordance with [Section 8 of BS5837:2005 (Guide for Trees in relation to construction)]. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground areas within those areas shall not be altered, nor shall any excavation be made within those areas, without the written consent of the LPA. The scheme shall be carried out in accordance with the approved details.

Reason:

To protect plants and features of landscape and ecological value in accordance with CS18 and policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

DETAILS OF DEVELOPMENT/COMMUNITY PARK INTERFACE

(25) Unless otherwise previously agreed in writing with the Local Planning Authority, a detailed plan of the interface between the Development and the Community Park will be submitted for approval at each Reserved Matters Stage.

For the avoidance of doubt, unless otherwise agreed previously in writing with the LPA, the minimum distance between the development and the edge of the woodland block on the south east corner of the development shall be 46m.

Reason

To ensure a high quality and functional interface between the Community Park and the development is achieved at each stage in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF.

PROTECTION OF COMMUNITY PARK

(26) Unless otherwise previously agreed in writing with the Local Planning Authority no construction activity of any type including the storage of materials, or site compounds relating to the development of the site (excluding those required for development activity related specifically to the creation of the community park) shall be permitted to occur within the boundary of the Community Park as illustrated on Masterplan SK-I30710 Rev C.

Reason

In the interests of the protection of the quality of the Community Park, retention and protection of wildlife and features of biological interest in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF.

**STREET DETAILS**

(27) No development in any Reserved Matter Area shall commence until details of the design, layout, levels, gradients, materials, street lighting, parking areas, and method of construction and drainage of all roads, cycleways and footways forming any part of the Reserved Matter Area, have been submitted to and approved in writing by the Local Planning Authority. No dwelling or commercial/business unit shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

**ACCESS**

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

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

**SERVICE ROADS**

(29) No dwelling or building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

**ACCESS/HIGHWAY IMPROVEMENTS**

(30) No development shall take place until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### DRIVEWAY GRADIENT

(31) No driveways to any of the proposed dwellings hereby permitted shall be steeper than 1 in 10 at any point.

#### Reason:

To ensure that safe and usable off street parking facilities are provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### MAXIMUM CAR PARKING PROVISION

(32) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 1780 cars to be parked (727 in phase A1 and 1053 in phase A2).

#### Reason:

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

#### CYCLE PROVISION - NON RESIDENTIAL

(33) None of the commercial or retail floor space in either phase A1 or A2 shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 82 bicycles to be securely parked (11 spaces in phase A1 and 71 in phase A2) along with the provision of further visitor cycle parking spaces. The secure areas for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

#### Reason:

In order to promote cycling to staff and visitors to the commercial and retail units as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007. and Government advice contained in the NPPF.

#### DETAILS OF PEDESTRIAN AND CYCLE LINKS

(34) No development shall take place on any phase of the development hereby permitted until details of the pedestrian and cycle links linking that area of the proposed development to existing infrastructure and residential areas have been submitted to and approved in writing by the Local Planning Authority and those links shall thereafter be delivered in accordance with Condition 26 (Street Details).

Reason

To ensure that an appropriate and safe pedestrian and cycle network is provided in the interests of highway safety and to encourage the use of such modes of transport as an alternative to the private car in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the provisions of the NPPF.

DETAILS OF NEW JUNCTION

(35) Development shall not begin on any phase of development until details of all new and improved junctions proposed to serve the development have been approved in writing by the Local Planning Authority; and no part of the site shall be occupied until that particular junction which provides access to it has been constructed in accordance with the approved details.

Reason:

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

DELIVERY OF THE HIGH STREET

(36) No development shall take place on any part of Phase A1 until details relating to the design, construction and timing of delivery of the High Street section of Forder Valley Link Road (FVLR) shown on Illustrative Masterplan SK-130710 Rev C (including its' signal controlled junction with William Prance Road) have been submitted to and approved in writing by the Local Planning Authority. Construction of the High Street shall be in accordance with the approved details, and that section of the FVLR shall be delivered in accordance with Condition 27 (Street Details) and to a programme to be approved in writing by the Local Planning Authority.

Reason

To ensure that the High Street section of the FVLR is delivered during the early stages of Phase A1 of the development in order to provide a safe and satisfactory means of access to the development for all road users in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the provisions of the NPPF.

CYCLE PARKING STRATEGY - RESIDENTIAL

(37) Details of the bicycle parking and/or secure bicycle storage for each phase of development shall be submitted to and approved in writing by the LPA before any dwelling or building within that phase of development is occupied.

The bicycle parking and/or secure bicycle storage for each phase of development shall be provided in accordance with the approved details before any dwelling or building within that phase of development is occupied.

The bicycle parking areas and secure areas for storing bicycles shown on the approved details shall remain available for their intended purpose.

REASON

In order to promote cycling as an alternative to the use of the private car in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the provisions of the NPPF.

CAR PARKING MANAGEMENT STRATEGY

(38) Prior to the occupation of any of the residential, commercial or retail units on phase A1, a Car Parking Management Strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The said Strategy shall provide information in relation to the allocation and use of all car parking areas across the site and measures that will be implemented to control the use of those spaces.

REASON

To ensure that the level of car parking provided and the use of those spaces is properly controlled in order to support the aims and objectives of the site-wide Travel Plan in securing a greater level of modal shift towards the use of sustainable modes of transport and hence reduce the number of single occupancy car journeys being made on the highway network in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the provisions of the NPPF.

LOADING AND UNLOADING PROVISION

(39) Before any of the commercial or retail floor space is first brought into use, adequate provision shall be made to enable goods vehicles associated with such uses to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority and thereafter those areas shall not be used for any other purpose unless an alternative area can be provided with the prior consent of the Local Planning Authority.

Reason:

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

CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(40) The construction of the development hereby proposed shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Traffic Management Plan (CTMP). The said CTMP shall be submitted no less than 3 months prior to the start of construction works on-site and shall include details of construction vehicle movements including number, type and size of vehicles; construction operation hours; routes being used by construction vehicles and contractors car parking arrangements. The construction of the development hereby permitted shall be carried out strictly in accordance with the approved CTMP.

#### REASON

To ensure that the traffic impacts associated with the construction phase of the proposed development does not lead to adverse impacts upon the operation of the Local Road Network in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the provisions of the NPPF.

#### TRAVEL PLAN

(41) No dwelling house, maisonette, duplex, flat or commercial/business use within any phase of development shall be occupied until Travel Plans for both the Residential and Employment uses have been submitted to and approved in writing by the LPA not less than 3 months after commencement of construction of any building on any phase of the development. The said TP's shall seek to encourage residents, staff and visitors to use modes of transport other than the private car to get to and from the development. It shall also include:

- a. the final targets for modal shift as to be agreed by the Local Planning Authority and based upon agreed trip rates for the development;
- b. measures to control the use of permitted car parking areas in accordance with the Car Parking Management Strategy;
- c. details of the measures and initiatives that will be implemented in order to encourage the use of sustainable modes of transport as an alternative to the private car, including the provision of car club with a minimum of two designated parking spaces;
- d. the name, position and contact details of the persons who are responsible for their implementation (TP Coordinator's) who shall be in post not less than 3 months prior to the first occupation of any of the buildings on the site to which the TP's relate (Residential or Commercial) and whom shall be employed for a period of up to 1 year beyond the occupation of the last commercial or residential unit on Phase A2.
- e. provisions of monitoring and reporting arrangements related to stages of the development and in terms of monitoring shall include the provision of automatic traffic counters in locations to be agreed by the LPA;
- f. surveys of staff travel patterns to be compliant with monitoring systems operated by the LPA such as 'i-Trace'.

The TP shall be fully complied with from the date of first occupation of the building/s to which the TP relates.

#### Reason:

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

#### TRAVEL PLAN COORDINATOR

(42) Three months prior to first occupation of any residential unit on Phase A1, a Residential Travel Plan Coordinator shall be appointed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, and shall remain in post until one year following the last occupation of any residential unit on Phase A2.

Three months prior to first occupation of the commercial floor space on Phase A1, an Employment Travel Plan Coordinator shall be appointed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, and shall remain in post until 1 year following the last occupation of any commercial/business unit on Phase A2.

#### Reason

To ensure that both the Residential and Employment Travel Plans are properly managed and administered in accordance with the documents approved under Condition 40 (Travel Plan) in order to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

#### HIGHWAY PHASING PLAN

(43) No development shall take place on any phase of the development hereby permitted until a detailed phasing plan of the highway infrastructure has been submitted to and approved in writing by the Local Planning Authority. The said plan shall detail which sections of highway infrastructure are due to come forward and at what time within the overall development programme.

#### Reason:-

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

#### PHASE 2 HIGHWAY WORKS

(44) No works shall commence on the residential development on land adjoining and to the North of Poole Farm within Phase A2 until the Highway works (including the provision of a dedicated right turn lane and localised road widening on Forder Valley Road have been constructed in accordance with details which shall have been previously submitted to and agreed in writing by the Local Planning Authority. Such approved details shall be strictly adhered to during the course of development and thereafter so retained and maintained in order to provide a suitable means of access to the area of residential development adjacent to and to the north of Poole Farm.

#### Reason

In order to ensure a suitable and safe means of access is provided to the area of residential development adjacent to, and to the north of, Poole Farm in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the provisions of the NPPF.

#### GRAMPIAN CONDITION - FORDER VALLEY LINK ROAD

(45) No works shall commence on the second phase of the development (identified as A2 on the submitted phasing plan) until the remainder of the Forder Valley Link Road has been constructed so that there is a continuous route for use by all modes of transport from the High Street section of the Link Road (being provided as part of phase A1 of the development) through to Forder Valley Road as indicated on the approved phasing plan Illustrative Masterplan SK-I30710 Rev C.

#### Reason

In order to improve accessibility of the site by non-car modes and avoid conditions which would lead to increased queuing and congestion at a number of key junctions on the A386 Northern Corridor which would lead to increased public transport journey times and therefore be contrary to Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the provisions of the NPPF.

#### SURFACE WATER DISPOSAL

(46) Any subsequent Reserved Matters planning application shall be supported by a detailed surface water drainage design. This design shall be submitted to and agreed in writing by the Local Planning Authority and shall incorporate measures to manage flood risk to the appropriate standard and manage water quality utilising sustainable drainage techniques. The approved details shall be implemented before the buildings hereby permitted are first occupied.

#### Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features, to ensure that the proposed surface water drainage scheme is adequate to serve the proposed development and not increasing flood risk or degrading water quality in the receiving watercourse. in accordance with Policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### EXTERNAL MATERIALS

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

#### Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### SURFACING MATERIALS

(48) No development shall take place until details of all materials to be used to surface external areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

CONSTRUCTION STAGE DRAINAGE

(49) Prior to the commencement of development, or each phase of development a scheme to dispose of surface water run-off during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To prevent flooding by ensuring the satisfactory management of surface water from the site during construction and to prevent pollution of controlled waters in accordance with Policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

FINAL DRAINAGE SCHEME DESIGN

(50) No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management for the whole site has been submitted to and approved in writing by the LPA. The details shall include:-

- (i) details of the drainage during the construction phase;
- (ii) details of the final drainage scheme;
- (iii) provision for exceedance pathways and overland flow routes;
- (iv) a timetable of construction;
- (v) a construction quality control procedure;
- (vi) a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the LPA that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details.

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with Policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### BUILDING NEAR WATERCOURSE AND WATERCOURSE CROSSINGS

(51) Any subsequent Reserved Matters planning application which involves development within 10m of a watercourse shall be supported by clear plans that detail the construction and foundation details of the proposed development. This design shall be submitted to and agreed in writing by the Local Planning Authority. The approved design shall be strictly adhered to during the course of development.

##### Reason:

To ensure that the proposed development will not impact on the floodplain of the watercourse or its nature corridor in accordance with Policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### ARCHAEOLOGICAL INVESTIGATION

(52) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation (WSI) which has been submitted by the applicant and approved by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with other such details as may subsequently be agreed in writing by the Planning Authority.

##### Reason:

To ensure the adequate investigation and recording of any archaeological remains and that the proposed works do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### NOISE

(53) All dwellings shall be constructed in accordance with BS8233:1999 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 30 dB Laeq for living rooms (0700 to 2300 daytime) and 30 dB Laeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB Laf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

Details of the sound insulation verification methodology including the identification of the appropriate test properties and subsequent sound insulation verification results for each phase or part of a phase of the development shall be submitted to and approved in writing by the LPA before any dwelling or building is occupied in that phase or part of that phase of development. Development shall be carried out in accordance with the approved details.

##### Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and Government advice contained in the NPPF.

#### LIFETIME HOMES

(54) Applications for Reserved Matters approval within any Reserved Matters Areas shall be accompanied by full details demonstrating how the proposed development will deliver 20% of residential units to Lifetime Homes criteria and showing how each of these dwellings meets all of the criteria for Lifetime Homes.

#### Reason:

To ensure that 20% of the dwellings on site are built to Lifetime Homes standards to comply with policy CS15 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and Government advice contained in the NPPF.

#### RETAIL FLOORSPACE PROVISION

(55) Unless otherwise previously agreed in writing with the Local Planning Authority, prior to occupation of the 200th residential unit within phase A1, the commercial uses within Phase I (A1, A2, A3, A4, A5 and B1 Uses) shown on illustrative Masterplan SK-130710 Rev C shall be completed in locations fronting onto William Prance Road to be submitted within the Reserved Matters submission.

#### Reason:

In order to provide an acceptable form of sustainable development of an appropriate scale and function, to comply with policies CS01, CS06, CS07, CS08, CS12 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document, 2007 and policies and provisions of the NPPF.

#### RETAIL FLOORSPACE RESTRICTION

(56) Unless otherwise agreed previously in writing with the Local Planning Authority, the gross internal floor area of any commercial unit within Use Class A1, A2, A3, A4 or A5 of either phase I or II including any mezzanine levels shall not exceed 500m<sup>2</sup> and the commercial units shall comprise a mix of Class A1, A2, A3, A4, A5, and B1 uses the details of which shall be provided through Reserved Matters submission and shall be located in accordance with illustrative drawing number Masterplan SK-130710 Rev C.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that order with or without modification), the gross retail floorspace of any unit hereby approved shall not be physically enlarged, extended, or reduced in any way within the envelope of the buildings in which they are located, at any time, unless prior approval for any such change has been obtained in writing from the Council.

For the avoidance of doubt, the gross commercial floorspace of any unit shall not be reduced or subdivided in any way nor shall any additional floorspace be created by the addition of additional floors or additional mezzanine levels

#### Reason:

To ensure that the development is appropriate in scale and function and without detriment to the vitality and viability of district and local centres in the locality in accordance with CS08 and CS34 of the adopted City of Plymouth Core Strategy 2006-2021 and provisions of the NPPF.

#### RESTRICTION ON PERMITTED CHANGES OF USE

(57) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no change of use of the proposed B1 or A1 units to a use falling within Classes C3 (Dwelling Houses) shall be carried out without the prior consent in writing of the Local Planning Authority.

#### Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate, but that a proposal to use the premises for any other purpose would need to be made the subject of a separate application to be considered on its merits in accordance with Policies CS01 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

#### OPENING HOURS

(58) Unless otherwise agreed previously in writing with the Local Planning Authority, the A1 and A2 uses hereby permitted shall not be open to customers outside the following times: 0800 hours to 2000 hours Mondays to Saturdays inclusive and 1000 hours to 1700 hours on Sundays and Bank or Public Holidays.

Unless otherwise agreed previously in writing with the Local Planning Authority, the A3, A4 and A5 uses hereby permitted shall not be open to customers outside the following times: 0800 hours to 2300 hours Mondays to Saturdays inclusive and 1000 hours to 2200 hours on Sundays and Bank or Public Holidays.

#### Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### HOURS OF DELIVERY AND COLLECTION

(59) Unless otherwise agreed previously in writing with the Local Planning Authority, deliveries and collections to and from any commercial unit (Class A1, A2, A3, A4, A5 or B1) shall be restricted to the following times:

Monday to Saturday - 08:00 to 18:00hrs

Sundays and Bank Holidays - No deliveries or refuse collections.

#### Reason:

To protect the residential and general amenity of the area from disturbance from noise related to the commercial units at unreasonable hours and avoid conflict with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the policies and provisions of the NPPF.

## INFORMATIVE: CONDITIONAL APPROVAL

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

## INFORMATIVE: DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(2) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at [www.plymouth.gov.uk/CIL](http://www.plymouth.gov.uk/CIL). You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once any pre-commencement conditions are satisfied.

## INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

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

## INFORMATIVE: ROADWORKS

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

## INFORMATIVE: TRAVEL PLAN

(5) The document required in connection with the Travel Plan should be based upon the Council's guidance for Travel Plans published on the Council's website and should, where possible, be created using iTRACE, an online travel plan management tool available through Plymouth Transport and Infrastructure. The applicant is advised to contact Plymouth Transport and Infrastructure prior to preparation of this document for site-specific advice on the requirements for the Travel Plan, which are likely to include:

- (a) appointment and contact details of a Travel Plan Coordinator
- (b) recommendation of the use of iTRACE
- (c) site specific targets, measures and management/monitoring plan.