

# PLANNING APPLICATION OFFICERS REPORT



|                             |                                |                       |                             |
|-----------------------------|--------------------------------|-----------------------|-----------------------------|
| <b>Application Number</b>   | 20/00545/FUL                   | <b>Item</b>           | 01                          |
| <b>Date Valid</b>           | 16.04.2020                     | <b>Ward</b>           | ST PETER AND THE WATERFRONT |
| <b>Site Address</b>         | 1 Zion Street Plymouth PL1 2HX |                       |                             |
| <b>Proposal</b>             | 3 no. sets of external stairs  |                       |                             |
| <b>Applicant</b>            | Mr Chris Morris                |                       |                             |
| <b>Application Type</b>     | Full Application               |                       |                             |
| <b>Target Date</b>          | 11.06.2020                     | <b>Committee Date</b> | 20.08.2020                  |
| <b>Extended Target Date</b> | 31.08.2020                     |                       |                             |
| <b>Decision Category</b>    | Councillor Referral            |                       |                             |
| <b>Case Officer</b>         | Mr Sam Lewis                   |                       |                             |
| <b>Recommendation</b>       | Grant Conditionally            |                       |                             |



This application was called to Planning Committee by Cllrs. Penberthy, McDonald, and Tuffin.

## **1. Description of Site**

The application site is a block of flats in an L shape that mostly front onto Zion Street managed by Plymouth Community Homes (PCH). Hoe Street borders the site to the east, with a car park that serves the Crowne Plaza hotel sitting to the west. Zion Street is just off Citadel Road, so the site is close to Plymouth Hoe - which sits to the south. While the site is close to the Hoe, Barbican, and City Centre conservation areas, it does not actually fall into any of them.

## **2. Proposal Description**

The proposal is to install three sets of external fire-escape stairs on the L-shaped building's three vertices. Site 1 (as per the plans), towards the south of the site, is proposed to be approx. 2.9m high to the walkway level, with a privacy screen of 1.8m to protect the privacy of the properties to the south on Citadel Road. Site 2 is directly north of Site 1 at the other end of the building and will be

approx. 5.5m high. Again, privacy screens of 1.8m are to be installed on the eastern 'landing' portions to protect the privacy of the nearby flat windows. Site 3 is on the eastern end of the L and it is proposed to be approx. 5.8m high. The differing heights take into account the sloping site, which slopes downward from the south to the north.

Openings will be made into the gable ends of the building to accommodate the stairs and create doorways to access them. One-way 'exit only' doors are proposed to reduce the level of foot traffic on the stairs. The stairs are intended to provide an alternative means of escape in the event of a fire and not as a general means of accessing the upper flats - hence the one-way doors.

There are a number of mature trees towards the east of the site, close to Site 3. These trees are proposed to be retained as part of the scheme - although some pruning will be necessary to accommodate the stairs' installation. No privacy screens are proposed at Site 3 as a result of the natural screening that the trees will provide.

The application's original 21-day consultation period ran from 13th May 2020 to 9th June 2020. Following concerns raised by members of the public, ward councillors, and statutory consultees negotiations were held with the applicant to attempt to overcome the concerns. New information was then submitted by the applicant to provide a general rationale for the scheme, provide privacy screening on some of the proposed stairs, and to provide information regarding the proposed tree works that are deemed necessary. A new 21-day consultation period started on 28th July 2020 to advertise this new information, which is due to finish on 18th August 2020.

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

None.

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

#### The Application Site

99/01150/FUL - Installation of replacement windows and new external cladding (Granted Conditionally).

#### Similar Schemes

18/02105/S73 - Variation of Condition 2 (Approved Plans) of Planning Permission 15/01251/FUL to provide a separate means of escape and external and internal alterations (Granted Conditionally).

19/00557/FUL - External three-storey fire escape (Granted Conditionally).

The above two applications are somewhat similar schemes that have recently been considered by the Local Planning Authority. The former, at 47A North Road East, was also discussed at Planning Committee. It is not the view of Officers that either set a precedent in the context of this application, but comparisons can be drawn from them - particularly in the mitigation approved.

### **5. Consultation Responses**

Hoe Neighbourhood Forum (HNF) - During the initial consultation period, the HNF objected to the application on the grounds of a lack of information provided by the applicant as to why the stairs were needed. They also cited a lack of engagement with the residents by the applicant. No response has been received from the HNF regarding the new information in the second consultation period at the time of publishing.

Historic Environment Officer - No objections.

Designing Out Crime (DOC) Officer - The DOC Officer objected to the application during the initial consultation period, again citing a lack of information and justification provided for the stairs -

as well as general concerns regarding how the stairs would actually be used. Following the submission of new information however, including some clarification as to the design and overall implementation of the scheme, the DOC Officer has removed their objection.

Natural Infrastructure Team - The Natural Infrastructure Team objected to the application originally due to a lack of information about how the proposal would impact on the trees on site. Following the submission of further information however, and discussions between the applicant and the Natural Infrastructure Officer, the objection has been removed subject to appropriate mitigation being included within the application. They have requested two conditions: one to request an Arboricultural Method Statement to be submitted and agreed prior to work commencing; and one to protect the existing line of trees on site.

Building Control - The Council's Building Control Team were asked for a comment during the second consultation period, but at the time of publishing no response has been received.

An addendum report will be produced prior to the committee to update Members on any additional responses received.

## **6. Representations**

During the time period surrounding the initial consultation period eighteen separate letters of representation were received, although some letters name checked more than one household. There was delay in advertising the application due to COVID-19 restrictions, but the residents of the flats were already aware of the proposals due to the applicant sending out letters to them all. As a result, some of the letters were received before the formal consultation period started. The material issues raised in the representations include:

- Overlooking from those using the stairs;
- Loss of light from the stairs' massing;
- Issues surrounding security from adding an additional means of accessing the building;
- Loss of on-site green and other amenity space;
- Noise etc. from the stairs' use.

Other issues raised which are not material to the planning application include:

- The proposal does not address the issues raised in the building's Fire Risk Assessment;
- The 'need' for the staircases;
- A lack of consultation and engagement from the applicant prior to submitting the application.

At the time of publishing, a further two letters of representation have been received since the start of the second consultation period. One objects to the scheme on similar grounds to the above, and one supports the scheme but requests that the proposed one-way doors contain obscure glass to help protect privacy of nearby residents.

An addendum report will be produced prior to the committee to update Members on any additional representations received.

## **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council

and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

As a result of Government policies and guidance regarding lockdown due to Covid-19, the 2020 Housing Survey was delayed by approx. 2 months as site visits could not take place. The 2020 5YLS update is therefore delayed by 2 months and will now be published in September 2020. The impact from Covid-19 is likely to slightly reduce the supply identified for 2020/21 due to 2-3 months of limited/nil construction activity during lockdown. This however would not have the effect to result in a material change to the JLP Authorities 5YLS position, given the substantial 5YLS position at the 2019 monitoring point i.e. 6.4YLS which represents a surplus of 1,977 deliverable dwellings above what is required over the period 2019-2024 to demonstrate a 5YLS.

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application:

- o Plymouth and South West Devon Joint Local Plan 2014-2034: Supplementary Planning Document (SPD) (July 2020)

## **8. Analysis**

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

### **8.2 Fire Safety**

8.2.1 The rationale behind the scheme is to allow each flat to have two directions of escape in the event of a fire. Some of the flats already have this, but some do not - particularly the maisonettes on the building's top floor. While the proposed staircases are not required by building regulations, as modern standards are not applied retrospectively to older buildings, the applicant nevertheless wants to make improvements to the property in an attempt to improve the means of escape. It is the understanding of Officers that the applicant undertakes risk assessments of their buildings on a fairly

regular basis and, where possible, seeks to make improvements to address concerns raised and to meet modern standards.

8.2.2 While the 'need' for a fire escape is not a material planning consideration, as such issues are dealt with under building regulations, Officers note that it is likely to become such in the future under the proposed Fire Safety Bill. Officers consider, however, that improved fire escape routes contribute to an increase in the overall amenity of the properties for those living there, which is a material planning consideration.

### 8.3 Consultation Undertaken by the Applicant

8.3.1 Many of the letters of representation received state that part of their reason for objecting to the scheme is because of a lack of engagement from the applicant. While it is often helpful if an applicant, especially a housing provider such as PCH, engages with affected residents prior to submitting a scheme to the Local Planning Authority for formal consideration, it is not a requirement for them to do so. The planning process provides a vehicle for affected members of the public to engage with proposals formally, so the applicant's alleged lack of consultation is not a material planning consideration.

8.3.2 It is noted however that letters were sent to the residents of the flats on both 16th March 2020 and 17th April 2020 alerting them of their intention to submit a planning application (with details of the scheme included) and to the validation of the same application respectively. It is Officers' understanding that two video calls took place with some of the residents in May 2020, and a follow-up letter was sent out on 28th May 2020. It is therefore clear that some attempt at consultation took place both before and after the submission of this planning application, but it is not the place of Officers to assess whether this consultation was sufficient.

### 8.4 Design

8.4.1 The stairs are proposed to be made out of galvanised steel to match other materials already used on site, and they are to be of a fairly typical fire escape-type design - with a zigzag-like pattern occurring as they descend (with the exception of Site 1 which is more of a simple bridge-like design). While the SPD would often presume against external staircases (see paragraph 4.150) and states that they should be accommodated internally, Officers do not consider that creating additional internal staircases would be practically possible or desirable in this instance. There is no space within the building to accommodate the staircases, so creating new internal staircases would require substantial extensions to the building.

8.4.2 Location wise, The Zion Street flats are set back from the main roads and pedestrian thoroughfares in the area; and they are not located in any of the nearby conservation areas. Site 1 will not be readily visible from public areas, apart from a side-on view down the existing footpath, and Sites 2 and 3, despite being more visible, are not considered to be in particularly prominent locations. While metal fire escapes are never the most attractive of structures, Officers consider that their locations are discreet enough for them to be considered acceptable - especially when considering the benefits from creating an additional means of escape for all residents. Site 2 is sandwiched between two blocks of flats, meaning that they will only be visible by those using the walkways and road to the north of the site; and Site 3 will largely be screened by the existing tree line. The Council's Historic Environment Officer was consulted on the scheme due to the site's proximity to a number of conservation areas and they did not raise any objections.

8.4.3 As a result of the staircases' locations, their compact design, and their overall benefit, Officers do not wish to raise any objections regarding their design.

## 8.5 Amenity

8.5.1 Many of the material planning concerns raised in the letters of representation revolve around the impact of the stairs on the residents of the flats and other nearby properties.

8.5.2 Overlooking concerns are the most prevalent, particularly from Site 1 and its bridge-like design. The original design of the Site 1 would have allowed for some overlooking over the gardens and rear windows of the properties on Citadel Road to the south. A 1.8m privacy screen was proposed by the applicant to overcome these concerns, and the new drawings show such a screen on the southern side of Site 1 - which Officers consider is an acceptable way to overcome the privacy concerns from the residents on Citadel Road. It could be argued that the manner in which Site 1 exits onto the greenspace to the west of the building could lead to overlooking of some of the windows of the flats on the west elevation. Officers acknowledge that this is possible, but as the stairs are descending at this point and situated away from the building it is considered that opportunities for overlooking are minimal.

8.5.3 Site 2, with its zig-zag design, is to be situated fairly close to some windows on the northern elevation. The landing areas where the stairs turn back on themselves could therefore lead to some overlooking into those windows, although the angle means that any overlooking would be somewhat obscured. Nevertheless, the applicant has proposed similar privacy screens as on Site 1 on the eastern landings to help protect the privacy of the adjacent flats. Officers again consider this to be an acceptable mitigation measure.

8.5.4 No significant overlooking concerns are raised by Officers in regards to Site 3 due to the natural screening the trees will provide and the fact that the stairs will be situated away from any windows.

8.5.5 Loss of light concerns, as well as general massing concerns, have also been raised by in some of the letters of representation. Officers acknowledge that at times the stairs' massing may seem large, but on balance their size and positioning is considered to be acceptable. When viewed from the Citadel Road properties, Site 1 could appear to be quite large - but it is the view of Officers that the flats themselves already create quite an overbearing presence to residents of those properties. The massing of Site 1 will be subsumed by the existing massing of the flats, leading Officers to conclude that Site 1's presence is not going to lead to any significant increase of overbearing feelings for residents of Citadel Road. This is also the case regarding light, as the gardens and rear windows of the Citadel Road properties are north-facing and already quite enclosed on all sides by high walls and the flats themselves.

8.5.6 It is the view of Officers that Site 2 has the potential to create some massing and loss of light concerns, but consider that they will not be of a significant-enough level to warrant a refusal of planning permission. Perhaps ironically, the privacy screens proposed on the eastern landings of Site 2 will lead to something of a blank façade outside some of the windows adjacent to the stairs. While Officers acknowledge that this is not ideal, the site's context leads to the conclusion that the impact will not be significant. The windows adjacent to Site 2 are also north-facing, and again they are enclosed by high walls on all sides. The building's own wall to the east limit the windows' access to light, and the wall at the end of the Sussex Place properties to the west provides a barrier to light. Flats that front onto Notte Street are situated directly to the north too, so it is considered that these windows are already fairly limited when it comes to accessing natural light. This leads Officers to conclude that the stairs' installation will not significantly alter the current situation, despite breaching the 45 degree rule (see paragraph 13.31 of the SPD).

8.5.7 Issues surrounding security and noise from the stairs' use were also raised in a number of the letters of representation. While Officers acknowledge that the stairs have the potential to be used for more than their intended purpose as a fire escape, it is considered that the mitigation put in place



is sufficient. One-way fire doors are to be installed at the top of each set of stairs to discourage their general use. While they could still be used as a means of exit, the one-way doors are likely to reduce any additional use to a low level. The one-way doors will also help to avoid anti-social behaviour. The stairs have been designed with no large landing areas to prevent congregation and all three sites, despite their relatively secluded locations, have natural surveillance over them from properties or public spaces. It is also noted that the upper floors of the flats can be easily accessed by anyone who wishes to at the moment in any case, so the addition of these stairs is not considered to alter the status quo - especially as they cannot be used for entry.

8.5.8 The final amenity issue to consider is the loss of some on-site green and other amenity space. Site 1 in particular will lead to a loss of a small amount of green space where the stairs will actually be constructed, and all three sites will lead to alterations of the walkways - portions of which have been used as outdoor amenity space by some of the residents over the years. While Officers understand why concerns have been raised regarding the loss of some green space and these informal amenity spaces, it is not considered that their loss is significant enough to warrant a refusal of planning permission. Plymouth Hoe is situated just to the south of the site which provides a lot of easily-available green space, and the walkway amenity space has been allowed by PCH informally over the years at their discretion - but as they are maintained by PCH, the applicant can reasonably ask residents to clear them at any time.

8.5.9 Overall, on amenity grounds, Officers consider that the stairs are, on balance, acceptable. While Officers acknowledge that there are likely to be some impacts in relation to massing and loss of light, it is considered that on balance the planning application is acceptable for the reasons discussed. As also discussed previously, it is the view of Officers that the addition of the stairs contributes to the overall amenity of the flats which helps to contribute to the view that, on balance, they are acceptable.

## **8.6 Impact on Trees**

8.6.1 There is an existing row of nine trees to the east of the site, near the location of Site 3. The Council's Natural Infrastructure Team originally objected to the scheme as there was no information provided by the applicant about how these trees would be protected. Information, however, was provided by the applicant following discussions, which has satisfied that Natural Infrastructure Team's concerns. It is thought that around 3m of some of the trees' canopies will need to be pruned to accommodate the stairs, and the structure of the stairs will be spaced out enough to protect the trees' roots. An Arboricultural Method Statement has been conditioned so that the necessary tree work can be agreed in more detail at a later date, and confirmed by the Local Planning Authority prior to work commencing on site.

## **9. Human Rights**

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

## **10. Local Finance Considerations**

None.

## **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting



planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not required due to the size of the proposal.

### **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability. This is because the proposed stairs are intended for emergency use only and therefore seen as a positive addition to the building rather than something integral to their access. There are no lifts in the building, so disabled access is already limited to the building's upper floors, meaning that this proposal does not alter the status quo.

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

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal is acceptable and accords with policies DEV1, DEV20, and DEV28 of the Plymouth & South West Devon Joint Local Plan, and national guidance. It is considered that the design and siting of the proposed stairs are acceptable. It is acknowledged that the proposals could lead to some massing and loss of light to nearby windows, particularly near to Site 2, but these impacts are not considered to be significant enough to warrant a refusal of planning permission. On balance, Officers consider that the scheme is acceptable from a planning perspective and recommend that it is approved subject to the below conditions.

### **14. Recommendation**

In respect of the application dated 16.04.2020 it is recommended to Grant Conditionally.

### **15. Conditions / Reasons**

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

#### **1      **CONDITION: APPROVED PLANS****

Proposed Elevations 1/2 201 Rev A received 23/07/20  
Proposed Elevations 2/2 202 Rev A received 23/07/20  
Proposed Plans 211 Rev A received 23/07/20  
Site Location Plan 001 - received 14/04/20  
Existing Elevations 1/2 101 - received 14/04/20  
Existing Elevations 2/2 102 - received 14/04/20  
Existing Plans 111 - received 14/04/20

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

#### **2      **CONDITION: COMMENCE WITHIN 3 YEARS****

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

Reason:

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

### **3 CONDITION: ARBORICULTURAL METHOD STATEMENT**

#### **PRE-COMMENCEMENT**

No development shall take place until an Arboricultural Method Statement and Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority in relation to the installation of Staircase 3 and its foundations. The statement shall detail how trees are to be protected during construction and any special measures/pruning required in relation to the installation of the staircase. 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 policy DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraphs 127, 170 and 175 of the National Planning Policy Framework 2019.

Justification:

To ensure the trees are protected throughout the scheme.

### **4 CONDITION: TREES/HEDGEROWS TO BE RETAINED/PROTECTED**

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 the trees on site are protected during construction work in accordance with policy DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraphs 127, 170 and 175 of the National Planning Policy Framework 2019.

## **5 CONDITION: ONE-WAY DOORS**

The one-way doors shown on approved plans 201 REV A and 202 REV A shall be installed before the stairs' first use and they shall then be maintained in perpetuity.

Reason:

In order to protect the privacy and amenity enjoyed by the occupiers of the flats and adjacent properties in accordance with Policy DEV1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework 2019.

## **6 CONDITION: PRIVACY SCREENS**

The privacy screens shown on approved plans 201 REV A and 202 REV A shall be installed before the stairs' first use, out of the materials detailed on the same plans, and they shall then be maintained in perpetuity.

Reason:

In order to protect the privacy and amenity enjoyed by the occupiers of the flats and adjacent properties in accordance with Policy DEV1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework 2019.

## **7 CONDITION: USE RESTRICTION**

The approved staircases, shown on approved plans 201 REV A and 202 REV A, shall only be used in the event of an emergency or planned fire drill and at no time shall it be used as a general means of access or egress to the property.

Reason:

In order to protect the privacy and amenity enjoyed by the occupiers of the flats and adjacent properties in accordance with Policy DEV1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework 2019.

## **INFORMATIVES**

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

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

### **2 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework 2019, the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.