

PLANNING APPLICATION OFFICERS REPORT



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| Application Number | 20/00253/FUL | Item | 05 |
| Date Valid | 06.03.2020 | Ward | ST PETER AND THE WATERFRONT |
| Site Address | Site Of Former E Block, The Quadrangle, Craigie Drive The Millfields Stonehouse Plymouth | | |
| Proposal | Erection of an apartment building to provide 17 units of accommodation, car parking and associated works | | |
| Applicant | Platinum Developments South West Ltd | | |
| Application Type | Full Application | | |
| Target Date | 05.06.2020 | Committee Date | 10.12.2020 |
| Extended Target Date | 11.12.2020 | | |
| Decision Category | Major with more than 15 Public Comments contrary to officer recommendation | | |
| Case Officer | Miss Amy Thompson | | |
| Recommendation | Grant conditionally subject to S106 agreement with delegated authority to the Service Director for Strategic Planning and Infrastructure to refuse if not signed within agreed timescales | | |



I. Description of Site

The former Royal Naval Hospital is now better known as Millfields. The buildings were designed by Alexander Rovehead and built between 1758 and 1762. A substantial limestone wall contains the site.

Millfields is a significant group of buildings mostly Grade II* Listed Buildings and the whole area within the wall was designated a Conservation Area in 1977. The layout is characterised by pavilion ward buildings grouped around a courtyard plan with ward blocks kept small and linked by a single storey colonnade. They formed part of the former St Dunstons School site.

The application site sits between 2 buildings (Copenhagen and Trafalgar) and forms part of the Grade II* listed Quadrangle. The former E block building was situated on the application site but was destroyed by bombing during the Second World War. The application site is situated within the Millfields Conservation Area.

The application site currently comprises 19 car parking spaces laid out with tarmac.

2. Proposal Description

Erection of an apartment building to provide 17 units of accommodation, car parking and associated works.

3. Pre-application Enquiry

None.

4. Relevant Planning History

Application site:

20/00254/LBC- Listed building consent for the erection of an apartment building to provide 17 units of accommodation, car parking and associated works- Under consideration.

05/00440/FUL- 4 storey building containing 12 residential units and 8 parking spaces- Granted conditionally subject to S106.

Neighbouring sites:

03/01105/FUL - Change of use, conversion repair and alteration to existing buildings to form 34 residential units, extension to Science building to form 6 residential units; new Community Education Development Trust building (on site of tennis/squash courts);all with new car parking - Granted conditionally.

05/00953/FUL - Change of use, conversion and alterations to form 34 residential units and formation of car parking and landscaped areas, and new boundary enclosure - Granted conditionally subject to S106.

5. Consultation Responses

Local Highway Authority- Originally objected to the scheme but following further details being submitted have removed their objection and recommend conditions.

Urban Design Officer - Originally objected to the scheme however after amendments and further details were submitted has removed their objection with recommended conditions.

Historic Environment Officer - Originally objected to the scheme however after amendments were submitted has removed their objection.

Historic England- Raised concerns but state that the concerns can be overcome by condition.

Community Connections Department - No objection.

Police Liaison Officer - No objection subject to recommended condition.

Economic Development Department - No objection subject to recommended condition.

Public Protection Service- No objection subject to recommended conditions.

Environment Agency- No objection subject to agreement from Local Lead Authority and South West Water.

Housing Delivery Team- Originally object to the planning application due to absence of affordable housing and request further details on accessible and adaptable dwellings. However following design changes and affordable housing offer, the objection has been removed.

Natural Infrastructure Team- No objection.

Local Lead Flood Authority - No objection subject to recommended condition.

Low Carbon Team- No objection subject to recommended condition.

6. Representations

The Local Planning Authority has received 24 letters of representation objecting to the proposed development. The letters are summarised as follows:-

Design/ Heritage

- o Design and materials not in keeping with existing listed buildings / heritage site or area
- o Destroys the symmetry and unbalances the appearance
- o Poor and unsympathetic design, does not enhance the area

- o Undercroft parking, balconies, roof terrace, roof level accommodation and window arrangement is an incongruous features
- o External terraces has previously been opposed by Historic England
- o Does not adhere to principles set out in Millfields Conservation Area Appraisal Management Plan 2007
- o Excessive flat density, four storeys proposed instead of three that the surrounding properties have
- o It will not be possible to use adjacent walkway to grassed gardens

Highways

- o Insufficient parking and visitor parking
- o Only one entrance / exit point that is manned by small security team, which is narrow, busy and can be dangerous.
- o Increase in traffic can cause it to become unsafe and hazardous
- o Nowhere for site compound for construction

Neighbour Amenity

- o Blocks light to neighbouring properties and poor outlook
- o Privacy
- o Overlooking from roof terrace
- o Disturbance and disruption to neighbours

Occupier Amenity

- o Accommodation will be cramped

Other

- o Chance of unexploded ordnance on site
- o Impact on bin availability and utilities
- o Already have multiple empty / unused residential properties in Millfields

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 on 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 (MHCLG) of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) 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. On 13th February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 139% and the consequences are "None".

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:

- Plymouth and South West Devon Supplementary Planning Document (2020)
- Millfields Conservation Area Appraisal Management Plan 2007

8. Analysis

1. This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. This application has been assessed against the Council's adopted planning policy in the form of the Plymouth and South West Devon Joint Local Plan (March 2019) policies are SPT1 Delivering sustainable development, SPT3 Provision for new homes, DEV1 Protecting health and amenity, DEV2 Air, water, soil, noise, land and light, DEV7 Meeting local housing need, DEV9 Meeting local housing need in the Plan Area, DEV10 Delivering high quality housing, DEV20 Place shaping and the quality of the built environment, DEV21 Development affecting the historic environment, DEV26 Protecting and enhancing biodiversity and geological conservation, DEV28 Trees, Woodlands and Hedgerows, DEV29 Specific provisions relating to transport, DEV31 Waste management, DEV32 Delivering low carbon development, DEV35 Managing flood risk and water quality impacts, DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy and the National Planning Policy Framework (NPPF) .
3. The principle issues are considered to be the design and impact of the proposed alterations to the character of the historic environment, the quality of the proposed flats and residential amenity. Other considerations include highways and parking, drainage, renewable energy, wildlife and biodiversity.

Principle of the Development

4. The application site itself is within the Plymouth Policy Area where the principle of development is accepted subject to other material considerations and policies. The site, however is not allocated and does not form part of the Council's current and up-to-date 5 year land supply. Any proposal would normally be expected to comply with all relevant local

plan policies and material considerations to be considered acceptable. The site is a small brownfield site where the principle of optimising development is accepted.

Layout

5. The proposal seeks to erect a four storey building, which will include 17 apartments with accommodation within the roof space. The application proposes to include 4 x 1 bed units, 12 x 2 bed units and 1 x 3 bed units. A dedicated bin store, secure cycle store and residents parking is also provided as part of the development proposals.
6. Policy DEV10 of the JLP requires that all new dwellings should be of a sufficient size and layout to provide good quality accommodation to meet the needs of occupants, with proposed dwellings required to meet Nationally Described Space Standards. All of the proposed units would exceed the minimum standard and therefore it is considered that adequate internal space is provided.
7. No private amenity space has been provided for flats 1 to 13 however flats 14 to 17 all have private balconies. The flats will largely rely on the existing outdoor amenity space within the Millfields site itself. However, given the proposed flats sizes and that the site is located with close proximity to public open space (Millfields Lawn and Victoria Park) this is considered acceptable and is consistent with the approach taken to other residential properties within the Millfields.
8. Policy DEV9 requires a mix of accessible housing units be sought in new housing schemes. 20% of dwellings on schemes of 5 or more should meet national standards for accessibility and adaptability, Category M4 (2) of Building Regulations. The submitted details state that all ground floor units will meet accessible housing requirements. A condition would be added to secure these flats meet these standards.
9. Based on the above summary of the layout of the proposed development of 17 flats it is officers' view that these proposals are acceptable. The development will accord with policies DEV9, DEV10 and DEV20 of the Joint Local Plan.

Design and Historic Environment

10. The Millfields site is a unique site within the city of Plymouth. It comprises a historic former Royal Naval Hospital occupying secure, landscaped, walled grounds. It is less than one mile west of the City Centre and in close proximity to the water's edge, with ferry connection to Cremyll and Mount Edgumbe Park. The site's key characteristics are its historic character, central location and high quality open space.
11. The current proposal seeks to rebuild the ward block that was destroyed by bombing in World War II which lay on the north-east side of the courtyard, adjacent to the central Trafalgar Block. Permission has previously been granted to rebuild this block in replica, but the current application seeks instead to erect a contemporary building which replicates the scale, massing and footprint of the existing blocks but containing five floors of accommodation (the existing buildings have three floors) by reducing floor-to-ceiling heights to a standard domestic scale, and incorporating accommodation in the roof space.
12. The proposed materials palette is white coloured render to the ground floor, mid grey linear brick, ivory shot-blasted masonry block on the upper floors, dark grey metal frames, natural grey slate roof and powder coated aluminium rainwater goods.
13. The Urban Designer and Historic Environment Officer considered the submitted details and raised concerns of introducing modern elements. The Urban Designer stated that while they

understand that the development is new, they would like to see it blend in so that people will still be able to appreciate the overall design of the compound. They raised concerns about the impact of the proposed window arrangement would have on the façade but understood that the windows cannot be aligned with the existing window arrangement due to the additional floor.

14. The Urban Designer and Historic Environment Officer also raised concerns about introducing new materials. They stated that they encourage a palette of materials and colours inspired by the context, however stated that they would like elements such as mid grey linear brick to be reconsidered, as the change of scale would be very noticeable. It is also noted that Historic England has not raised any objections in principle to the scheme but raised a concern about the proposed materials. Historic England had requested that Plymouth Limestone be used on the elevations of the proposed development and recommended a condition requiring this.
15. After raising these concerns with the agent it was negotiated that the front, western elevation that faces into the courtyard, would be clad in Plymouth Limestone. This therefore removed the Urban Designer and Historic Environment Officer's initial objections, stating that the use of Plymouth Limestone on the elevation facing the courtyard would lessen the impact of the windows and the impact on the Grade II* Listed associated buildings. A condition is suggested to a consent that requires the west facing elevation to be finished in Plymouth Limestone and that sample shall be submitted to and approved by the Local Planning Authority
16. The Urban Designer and Historic Environment Officer are satisfied with the overall volume, shape and height of the new building that follows the symmetry of the site, as well as the roof treatment, which officers consider has been improved in this latest proposal when compared to the previous 2005 consent.
17. It is officers' opinion that the footprint, scale and massing of the proposed building along with the negotiated materials will on-balance be acceptable and will ensure that the contemporary design of the building does not detract from the existing listed buildings or harm the Millfields Conservation Area. The proposal is therefore considered to be in accordance with Policies DEV10, DEV20 and DEV21 of the Joint Local Plan.

Neighbour Amenity

18. It is important that new developments do not have an unreasonable impact on the amenity currently enjoyed by neighbouring properties. The proposed building would be adjoined to the Copenhagen building to the northwest and would have the Trafalgar building to the southeast.
19. There are no existing residential properties situated directly to the west and east of the application that are considered to have their amenity significantly impacted upon from the proposed development.
20. Both the Copenhagen and Trafalgar buildings have been converted to residential apartments and have windows overlooking the application site. The distance between the closest point of the proposed building and Trafalgar building is approximately 1.9m and is set back to a distance of approximately 5.9m. The distance between the proposed property and the Copenhagen building is approximately 5.9m
21. The proposed building does not seek to have any habitable room windows that would face directly on the neighbouring residential properties to impact on the neighbours privacy.

22. The proposal includes a roof terrace and balconies serving only the apartments that are within the roofspace. The roof terrace is on the southern side of the development and would be in close proximity to the Trafalgar building. Having considered the positioning of the proposed roof terrace when compared to the windows of the Trafalgar that face the application site, it is considered that the privacy of the neighbouring property would not be significantly impacted subject to a condition that requires a screen to be in place between the two properties. Having considered the positioning of the balconies to the western and eastern elevation it is considered that that they would not significantly impact upon neighbours' privacy.
23. Paragraph 13.28 of the Plymouth and South West Devon Supplementary Planning Document (SPD) state that in order to protect the outlook of neighbouring properties, the minimum distance between a main habitable room window and a blank wall, should be at least 15m for a three-storey development.
24. As mentioned previously, the distance between the proposed building and the neighbouring residential buildings at its closest point is approximately 1.9m and is set back to a distance of approximately 5.9m. The proposal therefore will falls short of the SPD guidelines. It is however noted that this relationship between neighbouring properties is similar with other properties within the Millfields, such as between St Vincent, Nile and Trafalgar. Also whilst the previous planning applications 05/00440/FUL & 03/01105/FUL has now lapsed the principle of the development, in terms of relationship with the existing buildings in the Quadrangle has previously been deemed to be acceptable. It is therefore considered that refusing the application on these grounds would be unreasonable.
25. Due to the close relationship the proposed development would have with the neighbouring blocks it is likely the proposal would impact on the amount of natural light afforded to the neighbouring properties. The SPD sets out guidance to ensure that development does not result in a significant loss of daylight or sunlight to habitable rooms. The SPD details the 45 and 25 degree guideline which is used to ensure that proposed development will not cause a harmful loss of daylight.
26. Due to the close relationship between the proposed development and the neighbouring properties the proposal would not comply with the guidelines set out in the SPD. Officers have considered the layout of the neighbouring properties and it is noted that some of the rooms that overlook the application site are served by secondary windows and the elevation of Trafalgar that faces the proposed site is facing north therefore would receive a reduced amount of natural light.
27. Having considered the planning history it is also noted that a similar sized building with the same footprint was approved under application 05/00440/FUL & 03/01105/FUL, therefore refusing the application on these grounds would be considered unreasonable.
28. The construction phase of any approved development has the potential to disturb nearby residential dwellings. However Officers consider that a Code of Practice condition could be included on any grant of planning consent to minimise/control this. A Code of Practice would cover all potential aspects of nuisance with regards to the development and should acknowledge that the development has the potential to impact others.
29. It is considered that the proposed development would not have an unacceptable adverse impact on adjacent buildings in the context of the existing amenity enjoyed by residents and is therefore acceptable in accordance with polices DEVI, DEV7 and DEV20 of the Joint Local Plan and the NPPF.

Highways and Parking

30. The development site is a small car park, which is hard surfaced and marked out to provide 19 car parking spaces. Parking within Millfields is either owned by or allocated to residential or business uses that are within the Millfields. This is overseen by a Management Company.
31. The submitted proposal sought to provide 17 apartments that would comprise of 2 x 1 bed units, 14 x 2 bed units and a 1 x 3 bed unit and would provide a total of 20 car parking spaces to serve these units. The proposed parking spaces to serve the development would be eight under-croft spaces and a further 12 to be re-allocated within the existing parking spaces within the Millfields. When compared to the Council's parking standards the proposal would however create a shortfall of up to 12 parking spaces. To justify the shortfall in parking the submitted details make reference to the sustainability of the location, the parking restrictions (between 1100hrs & 1500hrs) in the public streets outside of the Millfields to control the overspill car parking and the lower car parking ratios previously accepted with previous planning permissions within the Millfields.
32. The Local Highway Authority (LHA) initially objected to the proposal due to concerns of the loss of the existing car park and inadequate parking provision to support the development. The LHA stated that "all things considered it seems that without any credible explanation the proposed new development would fail to provide any additional car parking to serve the new dwellings. But would instead remove and reallocate existing car parking availability that is already serving the wider 'Millfields' complex that has not been proven to be surplus".
33. In response to the concerns raised by the LHA the applicant amended the scheme by reducing the number of two bedroom units, the proposal therefore now seeks to provide 4 x 1 bed units, 12 x 2 bed units and 1 x 3 bed. The parking standards set out in paragraph 8.7 of the Plymouth and South West Devon Supplementary Planning Document states that 1 bedroom dwellings require 1 space per dwelling and 2 and 3 bedroom dwellings require 2 spaces per dwelling. The proposal should therefore provide a total of 30 spaces to comply with guidance, however is seeking to provide 20.
34. The applicant also provided additional information which stated that the last lease for the car park expired in March 2018 and had not been formally used as a car park to date. The information also states that the businesses uses within the Millfields are currently giving rise to a reduced car parking demand, including due to Covid-19, which has freed up car parking spaces.
35. The LHA considered the submitted details and removed their objection stating that "the Millfields site overall is considered to be of sufficient size to be able to accommodate adequate car parking to meet the Council's planning standards. The LHA having no in principle objections is minded to recommend that the outstanding issues of the associated loss of car parking, and the need to establish the extent of parking surplus along with any shortfall, is addressed by planning conditions". The LHA have therefore recommended a condition requiring the submission of a Millfields wide Travel and Car Parking management Plan to include and apply to all that lies within the bounds of the Millfields. The Plan is intended to encourage and help to manage sustainable travel, but in this case the Plan would also provide the information to demonstrate any parking shortfall and how the loss of the application site car park would be mitigated and managed to avoid detriment and harm. The LHA has stated that the Plan will need to show and include the overall parking allocations throughout the Millfields, identifying what consented planning use each car parking space is associated with in order to establish the overall number of parking spaces that are apparently surplus to use within the Millfields. The Plan would identify and show all parking allocations

and associated uses, along with all surplus car parking spaces, to substantiate the car parking and management arrangements within the Millfields, including in respect of the associated planning consents and compliance therewith.

36. Having considered the advice of the LHA and the relevant policies, Officers consider that the proposed development is acceptable in principle and subject to the added recommended condition the proposal will comply Policy DEV29 of the adopted Plymouth and South West Devon Joint Local Plan.

Affordable Housing

37. The Council's policy for affordable housing delivery is set out in Policy DEV7 (Meeting local housing need in the Plymouth Policy Area) of the JLP and supported by Plymouth and South West Devon Supplementary Planning Document (2020).
38. Policy DEV7 seeks "to deliver a wide choice of high quality homes which widen opportunities for home ownership, meet needs for social and rented housing, and will create sustainable, inclusive and mixed communities." Moreover, Policy DEV7 requires at least 30% of the total number of dwellings to be affordable homes (without public subsidy) on developments of more than 10 homes.
39. In addition to local planning policies, section 5 (Delivering a sufficient supply of homes) of the National Planning Policy Framework 2019 (NPPF) sets out the national policy context for affordable housing delivery. Paragraph 62 of the NPPF states that "where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be delivered on-site" unless off-site provision will contribute to the objective of a creating mixed and balanced communities.
40. Paragraph 64 of the NPPF states that "where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area...".
41. It is also noted that the recent White Paper published in August of this year called "Planning for the Future: planning policy changes in England in 2020 and future reforms" sets out an intention to increase the threshold so that developers do not need to contribute to affordable housing for developments of up to 40 or 50 units. While this is not legislation at present and is currently being consulted on, Officers are mindful of the Government's intentions with regards to potentially increase the threshold for affordable housing.
42. The need for affordable housing delivery in the city is greater than the total annual housing provision and the most recent data from Plymouth's Housing Register of those in housing need shows over 7,000 households registered. The provision of affordable housing is therefore considered a priority for the City Council and it is crucial that contributions are sought wherever possible from all major developments to help address this need.
43. A viability assessment has been submitted with the application and this suggests that it is not viable to provide any affordable housing (either on- or off-site). According to the National Planning Policy Guidance on viability, "the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances on the case, including whether the plan and viability evidence underpinning the plan is up to date..."
44. The viability assessment has indicated that the provision of affordable housing would compromise deliverability of this application. The assessment was reviewed by the Council's

in-house Viability Officer and concluded that while the viability of the site was marginal, the development could contribute through an off-site contribution towards Affordable Housing without critically affecting the ability of the scheme to come forward.

45. The Housing Delivery Team had originally objected to the scheme as no affordable housing was proposed on site or off-site. After negotiations the applicant has put forward an offer of £100,000 towards an off-site affordable housing contribution, which is equivalent to approximately 5.25% affordable housing. Having considered the offer the Housing Delivery Team has removed its objection considering the viability of the site.
46. While the contribution is significantly short of the 30% affordable housing contribution as stated within policy, the applicant has demonstrated that the development is not viable if 30% affordable housing was included as part of this development. The proposal will however contribute towards the delivery of a sustainable, inclusive and mixed community as set out in policy DEV7 of the adopted JLP, as well Plymouth and South West Devon Supplementary Planning Document (2020) and paragraphs 54 - 57 of the NPPF. Officers therefore need to weigh up the balance of planning gains from the overall development against a very clear deficiency in affordable housing provision. This planning balance is considered later in the report.

Drainage

47. The Lead Local Flood Authority has stated that the site is at a low risk of fluvial or tidal flooding. The site is located within a Critical Drainage Area by the Environment Agency as an area where the existing sewage system is at or close to capacity.
48. A Flood Risk Assessment (FRA) and drainage strategy has been submitted to support the proposal. The proposed surface water drainage strategy is to discharge surface water to the existing South West Water (SWW) combined sewer. Correspondence from SWW has been submitted approving the proposed connection and discharge rate. There are no waterbodies or surface water sewers in the vicinity of the site, and infiltration drainage has been dismissed due to site constraints. A Construction Environment Management Plan (CEMP) has been submitted, but does not contain any details of how surface water is managed during construction works.
49. The Local Lead Flood Authority has raised no objection to the proposal but has recommended a condition requiring further details. A surface water exceedance flow route should be identified on a plan that shows the route exceedance flows will take both on and off site from the point of surcharge, and demonstrate that these flows do not increase the risk of flooding to properties on and off the site and or to Third Party Land including the Public Highway. It also requires a Construction Environmental Management Plan that demonstrates how the new drainage system and water environment is protected during the demolition and construction phases.
50. Officers consider the submitted drainage details are acceptable in principle, subject to the added conditions the proposal complies with policy DEV35 Managing flood risk and water quality impacts of the Joint Local Plan.

Energy

51. An Energy Statement was submitted which sets out a number of alternatives to demonstrate that it can achieve the 20% carbon reductions over and above Building Regulations. It is however not specific, but narrows this down to solar PV, solar thermal and heat pumps. The Low Carbon Team considers these to be acceptable but recommends a condition for further

details of the final solution in advance of the development. As such it is officers' opinion that the proposal is compliant with DEV32.

Natural Infrastructure

52. The site consists of a surfaced car park, enclosed by multi-story residential buildings to the northwest and southeast and a walk / covered walkway to the west

Green Space

53. The site is adjacent to, but not within a site designated as a City Greenspace ("The Millfields Craigie Drive", in the JLP. It is therefore considered that the proposed development would not harm the adjacent green space.

Biodiversity

54. A report entitled "Ecological Mitigation and Enhancement Strategy including a Construction Ecological Management Plan (CEMP), & Landscape Ecological Management Plan (LEMP)" has been submitted and reviewed by the Natural Infrastructure Team.
55. The report concludes "As an existing car park within a built area, the proposed development represents a neutral ecological impact at a site level. Through the implementation of the ecology enhancement measures, the proposed development represents a positive/net biodiversity gain at the site level."
56. The report states that the following Enhancement Measures are to be incorporated into the building:
- a. Inbuilt Bird Nesting Provisions: Two groups of three inbuilt swift nesting provisions are to be incorporated into the northwest and/or northeast elevations of the proposed building. The provisions are to be incorporated at or near eaves height.
 - b. Inbuilt Bee Provisions: At least three inbuilt bee bricks are to be incorporated into the southeast and/or southwest elevations of the proposed building. The provisions are to be incorporated where they receive sunlight for a least part of the day.

Landscape and Visual Impact

57. The proposed external landscaping scheme does not include any soft landscaping (trees, planters etc). The Natural Infrastructure Team however considers that this is acceptable due to the constrained nature of the site.
58. The Natural Infrastructure Team agrees that the mitigation and enhancement recommended within this report is of a sufficient scale to ensure that the proposed development provides a net gain for biodiversity and therefore complies with policy DEV26 of the JLP.

Habitats Regulations Assessment

59. Officers have concluded that the adverse effects arising from the proposal are wholly consistent with and inclusive of the effects detailed in the Tamar Estuary Estuaries Management Plan and the Yealm Estuary Environmental Management Plan. The assessment is that the application complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

Refuse

60. The proposal seeks to extend the existing bin store to the north east of the proposed building. A condition is recommended on any approval to ensure a clear area is set up for bin storage and they are kept in this area on all days except for collection day. This is considered to be acceptable as the proposal complies with policy DEV31 of the Joint Local Plan

Secure by Design

61. The Police Architectural Liaison Officer has assessed the development and has no concerns however a condition is recommended that requires the developer to demonstrate that the development can achieve a Secured by Design Silver Award (formally known as Part 2 of the Secure by Design Award).

Public Protection Service Considerations

62. The Public Protection Service has not raised any objection to the proposal but has requested that a condition relating to land quality and the submission of a Code of Practice be attached.

9. Human Rights

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

10. Local Finance Considerations

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended).

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.

As set out above, JLP policy DEV7 (Meeting local housing need in the Plymouth Policy Area) requires at least 30% of the total number of dwellings to be affordable homes (without public subsidy) on developments of more than 10 homes. In accordance with the relevant policy requirements, these affordable homes should be provided onsite.

In addition, there are additional asks from service providers for off-site infrastructure provision to mitigate the impacts of the development, and hence to enable the development to be fully policy compliant, has been identified as follows:

Transport- £67,986 (Improvements to a walking and cycle route between Devonport and City Centre that will run through Stonehouse)

Strategic greenspace - £20,922.77 (Central Park)

Children's play space - £6,143.82 (Victoria Park play area)

City/ neighbourhood greenspace - £9,380.66 (Victoria Park)

Playing pitches - £15,973.03 (Victoria Park playing pitches)

A viability appraisal report has been submitted and reviewed by the Council's in-house Viability Officer. It has been concluded that whilst there are elements we do not agree with, these are not material enough to change the overall conclusion that the proposed scheme is not viable. The Council's Viability Officer concluded that

"the planning application presents a reasonable position that full policy compliance with regard to affordable housing is not viable having considered local and national policy and the evidence

available". However, the Viability Officer has stated in their conclusion that they consider that the "development could contribute through an off-site contribution towards Affordable Housing without critically affecting the ability of the scheme to come forward".

With reference to JLP policy DEL1: 'Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy', in determining whether or not to grant planning permission where a developer contends that planning obligations sought would make a proposal economically unviable, the LPAs will have regard to "the overall economic, social and environmental benefits of the development and whether, on balance, some relaxation of planning obligations is justified"

Officers have carefully considered that relaxation of planning obligations and shortfall in affordable housing provision in this case and consider that it can be justified on balance due to the benefits the development will bring the city through the provision of new homes and will conserve and enhance the significance of the listed Quadrangle. While officers consider the relaxations of the planning obligations and shortfall of affordable housing is justified it is considered that these benefits are finely balanced. Therefore, the application is deemed compliant with JLP policies DEL1, DEV7, DEV30, and PLY36, Plymouth and South West Devon Supplementary Planning Document (2020), and paragraphs 54 - 57 and Section 5 of the NPPF.

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.

The development proposes M4(2) (Adaptable and Accessible) compliant and M4(3) (Adaptable and Accessible) compliant homes.

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 when weighing up the overall benefits of the development, such as the provision of homes and conservation and enhancement of the historic environment, against the shortfalls, particularly in relation to the relaxation of the planning obligations, shortfall in affordable housing and parking provision, the proposal is a finely balanced decision but the planning decision is tipped in the officers view in favour for conditional approval subject to the signing of a S106 agreement.

The application is therefore recommended to grant conditionally subject to a S106 agreement with delegated authority to the Service Director for Strategic Planning and Infrastructure to refuse if not signed within agreed timescales

14. Recommendation

In respect of the application dated 06.03.2020 it is recommended to Grant conditionally subject to S106 agreement with delegated authority to the Service Director for Strategic Planning and Infrastructure to refuse if not signed within agreed timescales

15. Conditions / Reasons

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

1 CONDITION: APPROVED PLANS

Proposed Fourth Floor Plan MNE BPC XX 04 DR A 061 015 Rev P2 received 17/02/20
Proposed Roof Plan MNE BPC XX 05 DR A 061 016 Rev P2 received 17/02/20
Bin Storage MNE BPC XX XX DR A 900 001 Rev P0 received 17/02/20
Site Plan/Block Plan MNE BPC XX XX DR A 910 002 Rev P0 received 17/02/20
Proposed External Landscaping MNE BPC XX 00 DR A 061 010 Rev P0 received 17/02/20
Ground and First Floor General Arrangement 29034-MNE-BPC-XX-00-DR-A-061-007 Rev P0 received 09/07/20
Second and Third Floor General Arrangement Plan 2B 29034-MNE-BPC-XX-00-DR-A-061-008 Rev P0 received 09/07/20
Proposed Ground Floor Plan 29034-MNE-BPC-XX-00-DR-A-061011.29034-MNE-BPC-XX-00-DR-A-061011 Rev P3 (1) received 09/07/20
Proposed First Floor Plan 29034-MNE-BPC-XX-01-DR-A-061012 Rev P3 received 09/07/20
Proposed Second Floor Plan 29034-MNE-BPC-XX-02-DR-A-061013 Rev P3 received 09/07/20
Proposed Third Floor Plan 29034-MNE-BPC-XX-03-DR-A-061014 Rev P3 received 09/07/20
Proposed Elevations Sheet 1 29034-MNE-BPC-XX-XX-DR-A-061017 Rev P3 received 09/07/20
Proposed Elevations Sheet 2 29034-MNE-BPC-XX-XX-DR-A-061018 Rev P2 received 09/07/20
Proposed Elevations Sheet 3 29034-MNE-BPC-XX-XX-DR-A-061019 Rev P2 received 09/07/20
Proposed Section AA 29034-MNE-BPC-XX-ZZ-DR-A-061020 Rev P3 received 09/07/20
Proposed Section BB 29034-MNE-BPC-XX-ZZ-DR-A-061021 Rev P3 received 09/07/20

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: DRAINAGE DETAILS

PRE-COMMENCEMENT

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

a) The proposed increase in residential dwellings effectively reduces the capacity of the combined sewer to receive surface water, potentially increasing flood risk to properties downstream. The proposed discharge rate of 2l/s is in excess of the typical rate of 1.5l/s required by the Local Flood Risk Management Strategy for developments of this size.

However, the rate of 2l/s is acceptable since SWW consider there is sufficient capacity within their network. A difference of 300mm between foul and surface water invert connections is required to facilitate future removal of surface water from the combined sewer system.

b) In an extreme event that exceeds the design standard, a surface water exceedance flow route should be identified on a plan that shows the route exceedance flows will take both on and off site from the point of surcharge, and demonstrating that these flows do not increase the risk of flooding

to properties on and off the site and or to Third Party Land including the Public Highway.

Exceedance flows should be

intercepted and contained on site as far as this is reasonably practicable and safe to do so, ensuring that flows are directed away from public access areas.

c) A construction environment management plan (CEMP) incorporating method statements should be submitted to demonstrate how the new drainage system and water environment is protected during the demolition and construction phases.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority 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 unless otherwise approved in writing by the Local Planning Authority.

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework 2019.

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

4 **CONDITION: CODE OF CONSTRUCTION AND DEMOLITION**

PRE- COMMENCEMENT

No development shall take place, including any works of demolition and/or construction, until a Code of Practice has been submitted to, and approved in writing by, the local planning authority.

The Statement shall provide for:

- i. Noise and vibration from equipment and activities associated with construction including piling
- ii. Hours of work
- iii. Lighting
- iv. Measures to control the emission of dust and dirt during construction including wheel washing facilities
- v. A scheme for recycling/disposing of waste resulting from demolition and construction works
- vi. Pest control
- vii. Contamination where applicable

The Code of Practice must comply with all sections of the Public Protection Service, Code of Practice for construction and demolition sites, with particular regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust. All sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

The Code of Practices shall be adhered to and implemented throughout the demolition and construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, such as noise, vibration and dust and to avoid conflict with Policies DEVI (Protecting health and amenity) and DEV2 (Air, water, soil, noise, land and light) of the Plymouth and Southwest Devon Joint Local Plan 2014-2034.

Justification: To ensure that the impact of demolition and Construction will be acceptable from the commencement of any works.

5 **CONDITION: CONTAMINATED LAND**

PRE-COMMENCEMENT

Unless otherwise agreed by the Local Planning Authority, 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, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

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

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

o human health

o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

o adjoining land

o groundwaters and surface waters

o ecological systems

o archaeological sites and ancient monuments;

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

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

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise

agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

Section 4. Reporting of Unexpected Contamination

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

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 environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policies DEVI (Protecting health and amenity) and DEV2 (Air, water, soil, noise, land and light) of the Plymouth and Southwest Devon Joint Local Plan 2014-2034.

6 CONDITION: EMPLOYMENT AND SKILLS PLAN

PRE-COMMENCEMENT

No development other than demolition works shall commence until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Plan should demonstrate how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities. The Employment and Skills Plan should cover the groundworks phases as well as the construction phase of the development.

The development shall be carried out in accordance with the approved Employment and Skills Plan unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure that local people and businesses benefit economically and in job opportunities to comply with Policy DEV19 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework 2019

Justification: To ensure that the plan is place to ensure that local people and businesses have the opportunity to partake in the construction of the development from its outset.

7 CONDITION: EXTERNAL MATERIALS

PRE-DAMP PROOF COURSE (DPC) LEVEL

No development shall take place beyond DPC level until details of the materials (including samples) 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 DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan 2019 and Paragraphs 91, 102, 108 and 110 of the National Planning Policy Framework 2019.

8 CONDITION: ENERGY AND SUSTAINABILITY

PRE-DPC LEVEL

Prior to development above DPC level an energy strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the proposed development shall achieve regulated carbon emissions levels of 20 percent less than that required to comply with Building Regulations Part L.

The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the building and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to offset at least 20% of predicted carbon emissions for the development in accordance with Policy DEV32 of the Joint Local Plan, and NPPF.

9 CONDITION: TRAVEL PLAN & CAR PARKING MANAGEMENT PLAN

PRE-OCCUPATION

The development hereby permitted shall not be occupied until an all-inclusive and comprehensive combined Travel Plan and Car Parking Management Plan (The Plan) pertaining to the Millfields as a whole has been submitted to and approved in writing by the Local Planning Authority. The said Plan shall seek to encourage staff and all site users to use modes of transport other than the private car to get to and from the premises, and reduce the associated carbon footprint of the site and its uses. The Plan shall also identify each and every car parking space within the Millfields and its allocated use, along with its associated consented planning use and the relevant planning application number. The details shall include the overall total number of car parking spaces with a breakdown of the uses, along with the available number of surplus car parking spaces. Sufficient details shall be provided to substantiate the car parking and management arrangements within the Millfields overall, to demonstrate there is no parking shortfall or harm, and that the actual car parking use and allocation is in accord with and complies with the relevant associated planning consents. The Plan and Workplace travel plans should be prepared in line with the Council's general guidance. It shall also include measures to control the use of the permitted car parking areas; for the introduction of Electric Vehicle Charging Points; site specific outcomes and targets, and agreed arrangements for monitoring the use of provisions available through the operation of the travel plan; and the name position and contact telephone

number of the person responsible for its implementation. From the date of the occupation the Millfields shall operate the approved all-inclusive Millfields wide Travel Plan. (Travel plans for non-residential developments are recommended to be created and managed using iTRACE, an online travel plan management tool available through the Council).

Reason:

The Local Planning Authority considers that such measures need to be taken in order to identify any parking shortfall, how the loss of the subject application site car park would be mitigated, and how parking would be managed to avoid detriment and harm. Also 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 DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014 - 2034. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

10 **CONDITION: DETAILS OF ENCLOSURE AND SCREENING**

PRE-USE OF BALCONY AND ROOF TERRACE

Prior to the use of the balconies and roof terrace hereby approved details of all screening and privacy screens to be used on the external balconies shall be submitted to and approved in writing by the Local Planning Authority. The works shall conform to the approved details and shall be completed before the development is first occupied and maintained in perpetuity thereafter.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy DEVI of the Joint Local Plan, and the National Planning Policy Framework 2019.

11 **CONDITION: SECURED BY DESIGN SILVER AWARD**

PRE-OCCUPATION

Prior to the occupation of the apartments hereby approved, the developer or their successor shall demonstrate to the Local Planning Authority in writing that, as a minimum, the Secured by Design Silver Award (formally known as Part 2 of the Secure by Design Award) has been achieved.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with the Plymouth & South West Devon joint local plan 2014-2034, Section Dev 10 (2) and Dev 20 (6) and paragraph 12 of the National Planning Policy Framework 2019.

12 **CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan details for 18 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014 - 2034.

13 CONDITION: PROVISION OF CAR PARKING

PRE-OCCUPATION

The building shall not be occupied until the associated car parking spaces shown on the approved plans have been made available and reserved for the unfettered car parking use by the bona fide occupiers of the dwellings hereby approved and their visitors only, and shall not thereafter be changed or used by any other parties or for any other purpose.

Reason:

To enable vehicles used by occupiers or visitors of the development to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014 - 2034.

14 CONDITION: BIODIVERSITY

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the report entitled "Ecological Mitigation and Enhancement Strategy (Inc. Construction Ecological Management Plan (CEMP), & Landscape Ecological Management Plan (LEMP)) dated March 2020.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Joint Local Plan Policies SPT11 & DEV26 and Government advice contained in the NPPF paragraphs 170, 175 and 176.

15 CONDITION: ACCESSIBLE HOUSING

Four of the dwellings hereby approved shall where practical be constructed in accordance with national standards for accessibility and adaptability (Category M4(2) of Building Regulations) as detailed in the submitted Lifetime Homes Statement.

Reason:

To ensure that the development includes a mix of accessible housing units in accordance with policy DEV9 of the Plymouth and South West Devon Joint Local Plan 2019 and the NPPF 2019.

16 CONDITION: BIN STORAGE

PRE-OCCUPATION

Prior to first occupation of any of the apartments hereby approved the bin storage area shown on the approved plans shall be constructed and made available for use. The allocated bin storage area 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. Refuse and recycling bins shall be stored in this location at all times apart from collection days.

Reason:

To ensure adequate refuse and recycling storage and to prevent amenity impacts to the surrounding area or highway safety conflict in accordance with Policies DEV1, DEV2 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2019 and the National Planning Policy Framework 2019.

INFORMATIVES

1 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.

2 INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

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. 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 "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructuralevy>

More information and CIL Forms can be accessed via the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>