

PLANNING APPLICATION OFFICERS REPORT



Application Number	22/01453/FUL	Item	02
Date Valid	23.08.2022	Ward	STOKE
Site Address	86 Milehouse Road Plymouth PL3 4DA		
Proposal	New dwelling		
Applicant	Mr T Mellor		
Application Type	Full Application		
Target Date	18.10.2022	Committee Date	08.12.2022
Extended Target Date	N/A		
Decision Category	Councillor Referral		
Case Officer	Ms Abbey Edwards		
Recommendation	Grant Conditionally		



This planning application has been referred to Planning Committee by Councillor Sally Cresswell.

1. Description of Site

This application relates to the rear garden of 86 Milehouse Road. The application property is a substantial two storey, mid-terraced property in the Stoke neighbourhood. The property has been converted into two flats. The application site is bound by Beaumont Street to the north-west, an access lane to the north-east and the rear garden of No. 88 Milehouse Road to the south-west. Beaumont Street is characterised by terraced, two-storey properties fronting directly onto the street with on-street parking. The surrounding area is predominantly residential in character with Stoke Village Local Centre located within 6 minutes walking distance.

2. Proposal Description

The proposal is for a detached dwelling with associated landscaping and parking.

3. Pre-application Enquiry

22/00559/MOR - Pre-application for construction of a single dwelling with off road car parking and garden space - LPA acknowledge the application site has been subject to a number of previous planning refusals which raised concerns regarding lack of on-site parking, impact on neighbouring amenity and impact on the street scene. The current application has largely overcome the highway concerns and Officers consider that through careful design, the site could accommodate a dwelling.

4. Relevant Planning History

02/00925/FUL - Formation of rooms in roofspace - Grant Conditionally

03/01602/OUT- Outline application to develop part of rear garden by erection of a dwelling - Refused, dismissed at appeal

08/01457/FUL - Erection of double private motor garage - Grant conditionally

08/02175/FUL - Develop part of rear garden by erection of a two-storey dwellinghouse - Refused, dismissed at appeal

11/00167/FUL - Develop part of rear garden by erection of detached two-storey dwelling and detached garage - Refused

12/00375/FUL - Develop part of rear garden by erection of detached two-storey dwelling and detached garage - Refused

5. Consultation Responses

Highway Authority - No objection subject to conditions

Public Protection Service - No objection subject to conditions

Lead Local Flood Authority - No objection subject to conditions

Natural Infrastructure Team - No objection

South West Water - Applicant advised to contact SWW if unable to comply with requirements

6. Representations

Four letters of representation were received, objecting to the development on the following grounds:

- Overdevelopment of the site
- Pressures on infrastructure, particularly parking and drainage
- Loss of garden space
- Safety concerns with the removal of the boundary wall to facilitate development
- The service lane is for access to the Western Power substation and designated to 111 Beaumont Street in addition to British Telecom for maintenance
- Boundary fencing between application site and neighbouring property has been removed without neighbour's consent
- Existing garage is used for commercial business/ storage and not residential parking

- Damage to laneway cobblestones resulting from construction of garage has never been repaired
- Loss of daylight and privacy to No. 111 Beaumont Street
- New development will obstruct laneway
- Works have started on site including clearing trees and debris and part of existing boundary wall removed
- Issue with fires, noise, parking and subsequent blocking access following previous construction/ site clearing works at the site

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 the Housing Requirement 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 confirming the change. On 19th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% 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 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the scale and urgency of the climate change emergency, and Plymouth City Council's Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030. 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

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

Principle of Development

8.1 As noted within section 7, the Local Planning Authority can currently demonstrate a 5 year housing supply. When preparing the Joint local Plan housing supply figures, an allowance is made for "windfall developments". These are generally small scale proposals of less than five dwellings that gain approval but have not been predicted or formally allocated. This application seeks to erect a single dwelling and would be considered a windfall site.

8.2 Policy DEV10 of the JLP states that 'housing developments should be designed to be integrated with the adjacent developments and not appear to be an unrelated addition to the rest of the town, village and neighbourhood'. To this end, development of garden space within Plymouth will only be permitted where it does not adversely affect the character and amenities of the area, will prevent 'town cramming' and where the proposal can demonstrate that it contributes to the creation of sustainable linked neighbourhoods.

8.3 Officers note the area is predominantly residential in character, with a number of community facilities in close proximity. In terms of location, Officers' consider this a sustainable location for residential development, located approximately 6 minutes walking distance from Stoke Village Local Centre. As such, Officers raise no objection to the principle of further residential development at this location, subject to the development conforming to national and local planning policy as set out below.

Visual Impacts/Design

8.4 Policy DEV20 of the Joint Local Plan states that development must have proper regard to the pattern of local development and the wider development context and surroundings in terms of style, local distinctiveness, siting, layout, orientation, visual impact, views, scale, massing, height, density, materials, detailing, historic value, landscaping and character, and the demands for movement to and from nearby locations.

8.5 This application seeks to erect a detached, two-storey dwelling within the rear garden of No. 86 Milehouse Road. The property would front Beaumont Street, which is heavily characterised by two-storey, terraced dwellings. The proposed dwelling would follow the existing building line of the adjacent terraced properties located to the north-east and would be similar in scale and appearance. The property would be slightly wider than the adjacent property (No. 111 Beaumont Street) and the entrance door would be located on the side elevation, access via the laneway. Proposed materials include rendered walls which is consistent with the adjacent properties and a natural slate tiled roof which is welcomed.

8.6 There is an existing boundary wall which runs along the north-west and north-east boundary, comprising of Plymouth Rubble Limestone/ Ashlar Limestone. The proposal seeks to rebuild the wall using reclaimed limestone, to a lower height of approximately 700mm. This is consistent with property boundary treatments within Beaumont Street and thus Officers raise no objection. Given the size constraints of the site, further details of the boundary treatment, including a construction method statement, would be required via a pre-commencement condition.

8.7 Officers note that applications for a new dwelling on this site were previously refused due to the impact on the street scene. Officers note that whilst the dwelling would occupy existing garden space, the dwelling would be in keeping with properties within Beaumont Street and the resulting loss of garden space would not warrant a refusal reason of this application. The Council's Urban Design team agreed with this view, noting that the proposed design of the dwelling would provide a natural continuation of the properties within Beaumont Street and would also bring benefits including increased natural surveillance to this part of the street and laneway.

8.8 As such, Officers consider the proposal complies with Policy DEV20 of the Joint Local Plan.

Occupant Amenity

8.9 The proposal is for a two-bedroom, two-storey dwelling. Bed spaces have not been stipulated on the plans, however, the proposal meets the Nationally Described Space Standards in regards to the minimum floor space requirements. All habitable rooms would be served by windows.

8.10 Paragraph 2.8.27 of the SPD recommends a minimum outdoor amenity area of 100sqm for detached dwellings. Due to site constraints this cannot be met and a small external courtyard area of 40sqm is proposed. The SPD makes allowances on the external space standard where the development is located within older, more densely developed neighbourhoods and where the site is located within close proximity to public open space. Officers note that typically, properties within Beaumont Street contain small rear courtyards, falling below 100sqm. The site is located within 6 minutes walking distance to Blockhouse Park and 13 minutes walking distance to Central Park, providing sufficient mitigation for the shortfall of on-site external amenity space.

8.11 Overall the proposal provides an acceptable level of amenity and complies with Policy DEV10 of the Joint Local Plan.

Neighbour Amenity

8.12 The Plymouth and SW Devon SPD sets out minimum separation distances between new development and existing residential accommodation in order to protect the amenity of existing residents. The SPD acknowledges that the levels of privacy expected from a residential environment will differ depending upon the location and that it is reasonable to assume that privacy will be less in densely developed neighbourhoods or areas with a medieval street patterns.

8.13 Officers note that there is approximately 13m distance between properties located to the north and south of Beaumont Street. The proposed dwelling would follow the existing building line of the adjacent terrace and as such, the separation distance between the proposed dwelling and Nos. 114 and 116 Beaumont Street would measure 13m. This falls below the required minimum 21m separation distance as set out within the SPD, however, the development is consistent with other privacy distances experienced in the vicinity and Officers' therefore consider there are insufficient grounds to warrant a refusal reason based on loss of privacy to Nos. 114 and 116 Beaumont Street.

8.14 The proposed dwelling would be located approximately 25m from the rear elevation of the host property No. 86 Milehouse Road and neighbouring property No. 88 Milehouse Road. Any overlooking from the proposed dwelling at ground floor would be mitigated by an existing garage which measures 4m in height. At first floor, the proposed dwelling would contain one window in the rear elevation which would serve a bathroom and would be obscurely glazed. This would be secured via a condition. As such, Officers consider there would be no detrimental impact on the residents of Nos 86 and 88 Milehouse Road by way of loss of privacy.

8.15 The proposed dwelling contains habitable room windows within the east elevation, located approximately 5.5m from neighbouring property No. 111 Beaumont Street. No. 111 Beaumont Street contains a first floor bathroom window within a rear tenement which faces the application site. However, the neighbouring property extends further to the rear than the proposed dwelling and as such, the bathroom window would overlook the courtyard/ parking area. Therefore, no concerns regarding impact on privacy are raised in regards to No. 111 Beaumont Street.

8.16 In regards to outlook, Nos. 86 and 88 currently enjoy an open aspect out of their rear windows and from their garden areas, which are over 30m long and approximately 7m wide. The existing garage separates the garden of No. 86 from the application site and the house would be at a significant distance so as to not have an overbearing impact upon the existing residents. Due to the spacious width and length of the garden to No.88 and the limited area of garden affected, Officers consider that the development would not appear overbearing to its occupants. This view was concluded by a Planning Inspector in a 2009 appeal (Reference APP/N1160/A/09/2102581/WF).

8.17 Overall, the proposal is not considered to generate any amenity impacts to neighbouring properties sufficient to warrant a refusal of the application. The proposal complies with Policies DEV1 and DEV2 of the Joint Local Plan.

Highway Considerations

8.18 Previous planning applications for a dwelling on this site have sought to utilise a parking space within the existing double garage. Case Officers and a Planning Inspector (as noted within appeal APP/N1160/A/09/2102581/WF) previously determined that the loss of parking space serving the host property would be unacceptable. It is noted that the existing garage was approved on the condition that it would serve the existing residents of No. 86 Milehouse Road.

8.19 Officers note the concerns raised by local residents that the existing garage is currently used for commercial purposes/ storage rather than resident parking. As such, Officers have raised an enforcement case so this can be investigated accordingly.

8.20 Unlike previous applications for a dwelling at this site, the current application seeks to provide a dedicated car parking space. The Local Highway Authority were subsequently consulted on the application and raise no in principle objection.

8.21 In line with the indicative parking requirements set out within the SPD, a two bedroom dwelling would require two parking spaces. The Highway Authority consider that a shortfall of one parking space at this site would not warrant a refusal of this application due to the sustainable location. Milehouse Road Bus stops are located in close proximity to the site offering regular services including to the City Centre and Derriford and there are a range of shops and services in the area which are accessible on foot.

8.22 It was noted by the Planning Inspector in a previous appeal (APP/N1160/A/09/2102581/WF) that one parking space for a three bedroom property would be acceptable. Officers appreciate planning policy has changed since 2009, but for the reasons as specified above, consider one parking space for the two bedroom dwelling is acceptable.

8.23 The parking space requires a minimum depth of 4.8m, accompanied by a 6m threshold space in front of the parking space to allow for safe transition of a vehicle. Concerns were raised regarding the narrow service lane and a vehicle tracking swept path analysis was requested by the Highway Authority. Tracking plans have subsequently been provided by the Applicant and these have been accepted by the Highway Authority.

8.24 In order to ensure a safe visibility splay is achieved, the height of the service lane wall should be reduced to 1m within the immediate area of the proposed parking space. This will allow a driver to safely view approaching pedestrians. Further details of the boundary treatment have been secured via a condition to ensure compliance.

8.25 An electric vehicle charging point should be provided in line with the Plymouth and SW Devon SPD and this has been conditioned.

8.26 Secure cycle storage for 2 bicycles should be provided in line with the Plymouth and SW Devon SPD and this has been conditioned.

8.27 As such, Officers consider the proposal overcomes the previous highway concerns regarding impact on local parking and complies with Policy DEV29 of the Joint Local Plan.

Contamination

8.28 A Preliminary Site Risk Assessment was submitted in relation to the application (dated 28th July 2022) concluding there is a low risk of contaminated land. The report has been reviewed and accepted by the Council's Public Protection Service and a condition has been added in regards to the finding of any unexpected contamination.

Drainage

8.29 The site is located in Flood Zone I and considered to be at a low risk from fluvial and tidal flooding. Surface water flood risk mapping indicates the site is at a low risk from a 1 in 100 year return period event.

8.30 The site is located in a Critical Drainage Area where the Environment Agency considers the existing drainage system to be at or close to capacity. Public sewer records indicate there are SWW sewers in the vicinity of the site. There is a 150mm diameter surface water sewer outside 82 Milehouse Road.

8.31 A drainage statement has been submitted that states that infiltration is not possible due to site constraints, however, a surface water drainage strategy has not been submitted.

8.32 The Lead Local Flood Authority have reviewed the application and raise no objection subject to a pre-commencement condition requiring the submission of a drainage strategy that meets the requirements of the Plymouth Local Flood Risk Management Strategy.

8.33 South West Water have reviewed the application and in line with the view of the Lead Local Flood Authority, note that the Applicant should provide evidence of surface water drainage, demonstrating that the proposed drainage system meets the necessary requirements. As such, a pre-commencement condition has been added. Within the condition, the Applicant is required to obtain written approval from South West Water for any connections (including discharge rates) to the existing combined sewer. As such, the proposal complies with Policy DEV35 of the Joint Local Plan.

Biodiversity

8.34 In line with Joint Local Plan Policy DEV26 a biodiversity net gain is encouraged. The Applicant proposes three nesting boxes to be installed to the north-east elevation. The Council's Natural Infrastructure team were consulted on the application and raise no objection. The proposal complies with Policy DEV26 of the Joint Local Plan.

Refuse Storage

8.35 The Plymouth and SW Devon SPD sets out bin storage requirements for new dwellings, with the need to provide no.2 240 litre wheeled bins. Bin storage is proposed adjacent to the car parking space. A condition has been added to ensure the bin storage area is to remain for its intended purpose and to ensure bins are kept within this area at all times excluding collection days.

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.

Planning obligations not required due to the nature and size of 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.

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 on the basis a dedicated car parking space is proposed, the application overcomes the previous highway concerns. The dwelling would not result in a detrimental impact on neighbouring amenity and would provide acceptable living conditions for future occupants. The proposal therefore accords with policy and national guidance and is recommended for conditional approval.

14. Recommendation

In respect of the application dated 23.08.2022 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 Front Elevations 22.005 / SD03 received 03/10/22
Proposed Location and Site Plans 22.005 / SD01 Rev A received 21/11/22
Proposed Rear and Side Elevations 22.005 / SD04 Rev A received 21/11/22
Existing Extents - Swept Path Analysis 227067_AT_A01 received 11/11/22
Proposed Side Elevation - South West 22.005 / SD05 received 03/10/22

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: SURFACE WATER DRAINAGE

PRE-COMMENCEMENT

No development approved by this permission shall commence 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) A surface water drainage strategy or flood risk assessment should be submitted that demonstrates that the proposed drainage system, including any attenuation, can provide a 1% AEP standard of protection plus a 40% allowance for climate change. Calculations and modelling results should be produced in support of any drainage design, including infiltration test results to support the chosen drainage strategy.
- b) The Plymouth Local Flood Risk Management Strategy requires that any infiltration tests should be completed in accordance with BRE365, located where the proposed soakaway devices are to be situated and below any made ground. It's recommended that the test sites are shown clearly on a plan. It is recommended by BRE365 to not include infiltration through the base of any infiltration device in the design of a surface water drainage system.
- c) For infiltration drainage systems, a ground investigation study including an assessment of the underlying geology should be undertaken to assess and confirm the anticipated path the water will take having been discharged to the proposed soakaway. This is to confirm that water will not follow a pathway that ultimately impacts upon third party land or property specifically in this instance where the proposed soakaway is located less than 5m from the property boundary.
- d) 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.
- e) Details should be submitted of how and when the system is to be managed and maintained, and any future adoption proposals should be submitted.
- f) A construction environment management plan incorporating method statements should be submitted to demonstrate how the new drainage system and water environment is protected, and surface water run-off is managed during the construction phase.

Written approval from SWW should be provided for any proposed surface water connections, including agreed attenuation levels.

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.

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: DETAILS OF BOUNDARY TREATMENT

PRE-COMMENCEMENT

No development shall take place until details of the boundary treatment (including materials, size and location) and a construction method statement have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development is in keeping with the appearance and character of the area and is in accordance with Policy DEV20, the guidance contained within the Plymouth and SW Devon SPD (2020) and the NPPF.

Justification:

To ensure the boundary treatment, including construction works, are acceptable.

5 CONDITION: CYCLE PROVISION

PRE-OCCUPATION

The dwelling shall not be occupied until space has been laid out within the site in accordance with further details, to be submitted to and approved in writing by the Local Planning Authority, for 2 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 Plymouth and SW Devon Joint Local Plan and to ensure the design of the bin store is in keeping with the character of the local area in accordance with Policy DEV20 of the Joint Local Plan and the National Planning Policy Framework 2021.

6 CONDITION: CAR PARKING AREA

PRE-OCCUPATION

The dwelling shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policy DEV29 of the Plymouth and South West Devon JLP 2021

7 CONDITION: ELECTRICAL VEHICLE CHARGING PROVISION

PRE-OCCUPATION

The dwelling shall not be occupied until space has been laid out within the site in accordance with the approved plans for the provision of 1 standard electrical vehicle dedicated charging point. The electrical vehicle charging point 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 sustainable modes of transport in accordance with Policy DEV29 of the Plymouth and South West Devon JLP 2021

8 CONDITION: ECOLOGICAL MITIGATION

PRE-OCCUPATION

Three nesting boxes are to be installed within the fabric of the dwelling hereby approved prior to first occupation of the building. Plans for the specification and locations of these within the building are to be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved details.

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 the NPPF.

9 CONDITION: BIN STORAGE

Refuse and recycling bins shall be stored within the designated area, as shown on the approved plans, at all times apart from collection days.

Reason:

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 Frame

10 CONDITION: 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 must be reported in writing immediately to the Local Planning Authority. 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 this condition has been complied with in relation to that contamination.

An investigation and risk assessment shall be undertaken subject to the approval in writing of the Local Planning Authority, and where remediation is necessary a remediation scheme shall be prepared subject to the approval in writing of the Local Planning Authority.

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

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 DEV1 (Protecting health and amenity) and DEV2 (Air, water, soil, noise, land and light) of the Plymouth and Southwest Devon Joint Local Plan 2014-2034.

11 CONDITION: OBSCURE GLAZING

For the avoidance of doubt, and notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the first floor

Bathroom window on the southern (rear) elevation shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 4).

Reason:

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

12 CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

Notwithstanding the provisions of Article 3 and Classes A, AA, B, C, D and E of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations shall be carried out to the dwelling hereby approved without the express consent in writing by the Local Planning Authority. This includes alterations to or insertion of windows and any alterations to the roof.

Reason:

In order to protect the amenity of the occupiers of the adjacent dwellings in accordance with Policy DEVI of the adopted Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

13 CONDITION: CODE OF PRACTICE

During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working. Demolition or construction works shall not take place outside: 08:00 hours to 18:00 hours Mondays to Fridays; 08:30 hours to 13:00 hours on Saturdays; nor at any time on Sundays or Bank Holidays.

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

INFORMATIVES

I 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/communityinfrastructurelevy>

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>

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, the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.