

# ADDENDUM REPORT

Planning Committee



**Item Number:** 01

**Site:** Land To The West Of Bampton Road, Leigham, Plymouth, PL6 8QB

**Planning Application Number:** 23/00886/FUL

**Applicant:** Mrs Nicola Daniel

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## Representations

A letter from PCL Planning Ltd was sent on behalf of the applicant to Planning Committee Members on 13 September 2024. The letter does not introduce any new information, but it restates the public benefits of the development with particular reference to the scale of the current housing crisis. The letter highlights the benefits associated with the provision of a new footway on the southern side of the bell mouth junction with Bampton Road, and a footpath to Churchstow Walk to the north. Officers agree that the proposed footways will enhance pedestrian connectivity and deliver a public benefit that was not highlighted in the Officer's Report.

The Local Planning Authority has received 3 additional public letters of objection since the public consultation period ended. The new objections cite similar reasons to those described in section 6 of the Officer's Report. One objection raises concern that construction noise could affect the operation of the Windmill Public House.

Officers recognise that construction sites can cause disturbances to local residents and businesses although these are short term and temporary in nature. An informative has been applied to advise the developer that the development should be undertaken in accordance with the Council's Code of Practice for Construction and Demolition Sites. This states that construction works shall not take place outside 08:00-18:00 on Mondays to Fridays, 08:30-13:00 hours on Saturdays and at no time on Sundays or Bank Holidays. Construction works are not expected to take place in the evenings when the Public House is likely to be most used.

The new objections take the overall number of representations to 104 letters from 93 individuals.

## Affordable Housing

The wording of Condition 19 (Affordable Housing) has been amended following discussions with the applicant to ensure the provisions do not apply to any tenant exercising its right to acquire/shared ownership, or any mortgagee/chargee recovering its interest in the site/dwellings. These provisions are standard practice for Section 106 Agreements and necessary to allow the developer to secure borrowing to fund development. However, there is no Section 106 Agreement for the reasons outlined in paragraphs 7-8 of the Officer's Report. Therefore the provisions have been added to Condition 19. The amended condition wording is as follows:

### **Condition 19: Affordable Housing**

The seven dwellings that are hereby approved shall be let to eligible households at a Social Rent that meets guideline target rents determined through the national rent regime. Rent levels shall not exceed target rent levels recommended for the area and type of accommodation by Homes England or its statutory successor. The initial service charge payable by any occupier of the affordable housing units shall not be more than £265.41 per annum, rising at no greater than the Retail Price Index per annum unless exceptionally otherwise agreed in writing with the Local Planning Authority.

The provisions in this condition shall:

- (i) Cease to apply to a dwelling that has been let by a shared ownership lease when the leaseholder thereof shall have purchased 100% of the equity in the dwelling pursuant to the shared ownership lease; and
- (ii) Not be binding upon any person or body for the time being holding a mortgage or charge upon a dwelling nor upon a receiver appointed by such a mortgagee or chargee in order to realise its security or any administrator (howsoever appointed) including a housing administrator who shall be entitled to sell or otherwise dispose of the dwellings freed and discharged from the restrictions in this condition and nor upon any persons or bodies deriving title through such mortgagee or chargee or receiver.
- (iii) This condition shall not be binding on any completed dwelling where the Registered Provider shall be required to dispose of the same pursuant to a right to acquire under Section 16 of the Housing Act 1996 or any similar legislative provisions or similar right applicable.

Reason:

To secure public benefits that ensure the development is in accordance with the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019).