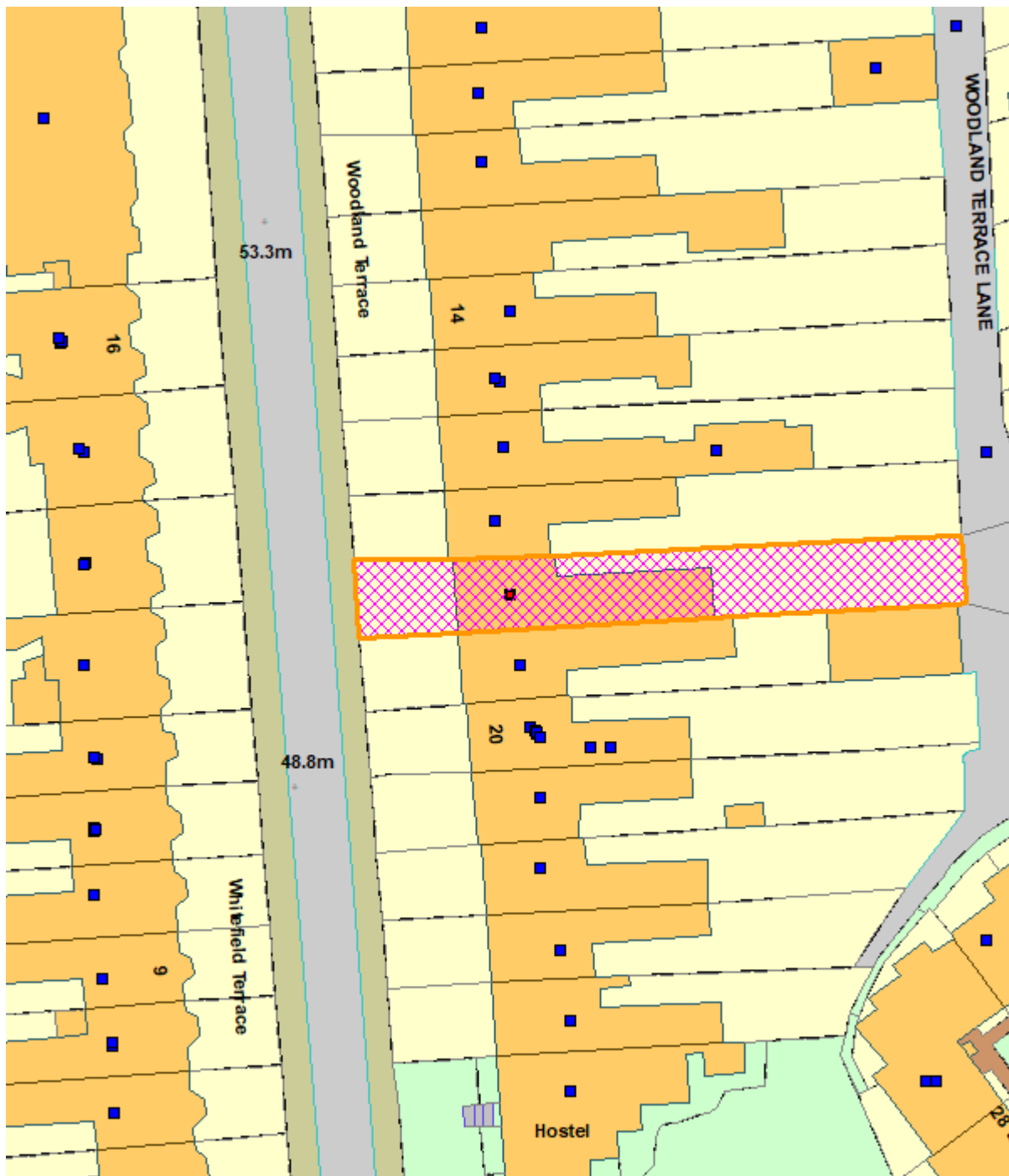


# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	24/01201/FUL	<b>Item</b>	01
<b>Date Valid</b>	02.10.2024	<b>Ward</b>	DRAKE
<b>Site Address</b>	18 Woodland Terrace Greenbank Road Plymouth PL4 8NL		
<b>Proposal</b>	Proposed conversion of existing dwelling into 6no. self-contained flats, extension to hardstand and associated alterations (part-retrospective)		
<b>Applicant</b>	Himanshu Sharma		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>27.11.2024</b>	<b>Committee Date</b>	<b>20.03.2025</b>
<b>Extended Target Date</b>	<b>23.03.2025</b>		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Miss Emily Godwin		
<b>Recommendation</b>	Grant Conditionally		



**This application has been referred to Planning Committee by Cllr Ricketts.**

### **1. Description of Site**

18 Woodland Terrace is a large mid-terraced property located in the Drake ward.

### **2. Proposal Description**

The application is for the conversion of the dwelling into 6no. self-contained flats, extension to hardstand and associated alterations (part-retrospective).

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

There was no pre-application enquiry.

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

Whilst there is no planning history for the application site, officers note that the planning history along Woodland Terrace indicates that a large number of properties are currently used as flats or houses in multiple occupation, some of which have been listed below:

07/00169/EXUS -24 Woodland Terrace - Six self-contained residential flats (Issue Certificate - Lawful use)

07/01509/FUL - 21 Woodland Terrace - Change of use, conversion, alterations and rear extension to form 6 self-contained flats and parking area (Granted Conditionally)

09/00343/EXUS - 19 Woodland Terrace - Three flats and one residential apartment with garden and workshop garage (Issue Certificate - Lawful use)

11/01597/FUL - 7 Woodland Terrace - Change of use and conversion from single dwellinghouse to house in multiple occupation (10 rooms) for students with parking and secure cycle storage (Granted Conditionally)

13/00224/FUL - 7 Woodland Terrace - Conversion of existing dwelling into first floor maisonette with 2 flats over 2nd and 3rd floors, proposed extension at rear of tenement with new garage with bin and cycle storage (Granted Conditionally)

13/02293/FUL - 20 Woodland Terrace - Change of use and conversion of 12 bed HMO to 6 self-contained flats (Granted Conditionally)

17/01845/FUL - 2 Woodland Terrace - Second floor rear extension to form self-contained flat (Granted Conditionally)

22/00026/EXUS - Establish existing use of property as 10-bed HMO (Sui Generis) (Issue Certificate)

Dwellings have also been approved fronting onto Woodland Terrace Lane which runs to the rear of the application site, some examples of applications include:

10/00180/FUL - Woodland Terrace Lane - Erection of 12 affordable/local needs or sheltered/supported residential flats comprising 4 two-bedroom units and 8 one-bedroom units and associated parking and external works including bin and cycle stores (Grant subject to S106 Obligation)

10/01107/FUL - 11 Woodland Terrace - Change of use and conversion of garage/workshop to dwelling, with formation of room in roofspace (Granted Conditionally)

17/00137/FUL - 8 Woodland Terrace - Detached dwelling with off road parking (Granted Conditionally)

15/00190/FUL - 2 Woodland Terrace - Formation of new dwelling with off road parking within the rear grounds of the property (Granted Conditionally)

#### **5. Consultation Responses**

Local Highway Authority - No objection subject to appropriate mitigation.

Public Protection Service - No objection subject to conditions.

Natural England - Provide advice relating to the Habitats Regulations Assessment process

Residential Waste - Further details required as to the proposed bin storage

Designing out Crime Officer - No objections to the proposal

Lead Local Flood Authority - No objections

Housing Delivery - No comments received

Natural Infrastructure Team - No objections subject to conditions.

## **6. Representations**

A letter of representation and councillor call-in has been received from the same objector.

The following concerns have been raised:

- Lack of cycle and car parking
- Over-development of the site
- Retrospective applications are unacceptable.

## **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(5B) of the 2004 Planning and Compensation Act sets out that the determination of any matter under the planning Acts must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly 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). The Plymouth & South West Devon Supplementary Planning Document provides amplification of the policies of the Joint Local Plan.

The relevant policies and/or provisions of the following documents will also have the potential to be material to the consideration of the application: National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the Plymouth and South West Devon Climate Emergency Planning Statement (CEPS) 2022, and the Joint Local Plan Five Year Review Report, 2024.

Following adoption of the Joint Local Plan, 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 Five Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 12th December 2024 the Ministry of Housing, Communities and Local Government published the HDT 2023 measurement. This confirmed the Plymouth, South Hams and West Devon's joint measurement as 113% and there are no policy consequences.

A 5% buffer is required to be applied for the purposes of calculating a five-year housing land supply at the whole plan level. As a result of the new standard method set out in national planning practice guidance, and the housing provisions of the NPPF, the combined authorities are only able to demonstrate a 2.53year housing land supply. This means that the presumption in favour of sustainable development set out in paragraph 11d applies for decision-making purposes, and that

planning permission should be granted unless the specific circumstances set out in sub-points (i) or (ii) in paragraph 11d are satisfied.

## **8. Analysis**

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

The relevant policies are: DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise, land and light), DEV7 (Meeting local housing need in the Plymouth Policy Area), DEV9 (Meeting local housing need in the Plan Area), DEV10 (Delivering High Quality Housing), DEV20 (Place shaping and the quality of the built 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) and SPT2 (Sustainable linked neighbourhoods and sustainable rural communities).

The primary planning considerations in this application are: the principle of development, visual impact, impact on neighbouring amenity, occupant amenity, meeting local housing need, natural infrastructure including trees and biodiversity conservation, transport, waste, the climate emergency and managing flood risk.

### **Need for housing development**

1. The publication of the updated NPPF on 12th December 2024, alongside new guidance, sets out a new standard method to calculate local housing need with the clear aim of increasing housing delivery nationally. Policy SPT3 (Provision for new homes) of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) (JLP) sets an overall housing requirement for the JLP Plan Area of 26,700 dwellings (net), which is 1,335 per annum for the Plan Period between 2014 and 2034.
2. The new standard method, however, identifies a housing need for the Plan Area of 2,643 dwellings per annum. The LPA therefore accepts that, given the provisions of NPPG (Paragraph: 062, Reference ID: 61-062-20190315, Revision Date: 15/03/2019) and paragraph 34 of the NPPF, that SPT3 is now out of date. The extent of the shortfall in relation to the 5YHLS is such that significant weight needs to be given to it in the planning balance.

### **Principle of Development**

3. Policy SPT2.2 refers to providing higher density living in appropriate locations, supporting flat conversions in sustainable areas. As outlined in Policy DEV10, properties with a floorspace less than 115sqm are not generally considered suitable for flat conversions. The application property exceeds this floorspace and therefore is considered to be a suitably large property in close proximity to local centres and transport links as encouraged within SPT2.
4. DEV7 refers to meeting the local housing need in the Plymouth Policy Area, in particular identifying the need for smaller dwellings suited to younger and older people. The proposal is for six one-bedroom flats in a sustainable location, in line with DEV7.
5. The letter of representation raises concerns that the scheme would lead to over-development. Officers consider that the application property is a very large dwellinghouse set over three floors and with rooms in the roofspace. The application site sits within a well-established residential area of the city, where it has not been uncommon for large residential properties to be sub-divided into flats or used as houses of multiple occupation, such as those outlined within section 4 of this report. External works to the application property are limited to the extension of the hardstanding area to be used as car parking and an access ramp. Therefore, officers raise minimal concerns with the proposed density of the development in the context of the character of the

surrounding area and raise no in-principle objection to the conversion of the property into flats, subject to complying with national and local planning policy as set out below.

#### Visual Impact

6. External works are limited to the installation of an access ramp and the extension to the car parking area. Whilst these alterations will be visible from the rear of the property, along Woodland Terrace Lane, officers do not consider these to be obtrusive or out of character. As such the scheme is found to be in accordance with DEV20 of the JLP.

#### Occupant Amenity

7. Policy DEV10 of the JLP sets out that all new dwellings, including conversions, must meet the Nationally Described Space Standards (NDSS) and that sufficient external amenity space should also be provided. The sub-division of the property would create 6no. 1-bedroom flats, which will all be served by adequate habitable room windows.

8. Officers raised concerns with the original proposed plans in terms of the level of occupant amenity proposed. Table 1 of the NDSS sets out the minimum gross internal floor areas. For a 1-bedroom flat with 1 bedspace and a bathroom, the minimum internal floor area is 39 square metres. For a 1-bedroom 2 bedspace flat, the minimum internal floor area is 50 square metres. Originally, Flats 1 and 6 proposed double bedrooms as such officers raised concerns that the flats were undersized and would result in the creation of sub-standard accommodation. Amended plans were received which reduced the bedroom sizes of these rooms to single occupancy, to accord with the NDSS requirements. All flats now comply with the NDSS. All habitable rooms will also have a good level of natural light and outlook.

9. The SPD requires 50sqm of external amenity space for flats per development, plus 5sqm per additional unit over 5. The property appears to be served by a small area of external amenity space, with the majority of the garden proposed to serve as a parking area for the property. Officers consider that although the proposal falls below the required levels of outdoor amenity space, this is characteristic of properties within the surrounding area, as many properties have been converted to flats with limited outdoor amenity space. Officers are satisfied that sufficient space will be available for bin storage and clothes drying, if desired.

10. The absence of amenity space is considered to be sufficiently mitigated by the site's close proximity to nearby public outdoor spaces, with Beaumont Park a 4-minute walk and Freedom Fields a 6-minute walk from the application site.

11. Officers consider that the development would overall provide a good quality living environment for future occupants, in accordance with DEV10 of the JLP.

#### Accessible and adaptable dwellings

12. DEV9 of the JLP sets out additional provisions for the delivery of a range and mix of housing. In particular, DEV9.4 sets out that 20% of dwellings on all schemes of five or more dwellings (including conversions) should meet national standards for accessibility and adaptability (Category M4(2) of Building Regulations) where practicable. During the course of the application, amended plans were submitted by the agent to incorporate M4(2) standards for the two ground floor flats.

13. Officers welcome the intention to provide accessible and adaptable homes, however upon consideration of the submitted plans officers raised concerns that the flats fell short of some requirements including the required clearance distances in the kitchens and bathrooms of the flats. Officers find that the ground floor flats are constrained by their built form and internal layout, so that it is highly unlikely that the flats could achieve the required standards. Officers consider this to be highly regrettable. However, taking an on-balance view, in this case compliance with accessible

and adaptable homes standards would not be practicable and as such would not conflict with DEV9 of the JLP.

#### Neighbouring Amenity

14. Policy DEV1 of the JLP aims to ensure new development provides for satisfactory daylight, sunlight, outlook, privacy and protection from noise, vibration and odour disturbance for both new and existing residents, workers and visitors. As no external works are proposed, officers do not raise concerns that the scheme will lead to a loss of daylight or outlook to neighbouring properties.

15. Furthermore, officers do not consider that the conversion of the property to flats would lead to a significant increase in noise levels which would be out of character for the residential area. The council's Public Protection Service (PPS) have been consulted on the application and no concerns have been raised in relation to noise or disturbance as a result of the proposal.

16. It is noted that PPS have recommended a condition relating to the hours of construction and demolition. However, officers note that the application is retrospective, with no further construction works proposed. Therefore, officers have not recommended a condition to this effect. An informative has been included detailing the council's Code of Practice.

17. Accordingly, officers find the proposal to be in compliance with DEV1 and DEV2 of the JLP.

#### Highways Considerations

18. Officers note that concerns have been raised with regard to the level of car and cycle parking proposed. The Local Highway Authority (LHA) have provided comments on the application. Initially the LHA comments raised that there was insufficient information of the layout of the parking area at the site. Further details on cycle parking and EV charging were also requested.

19. Amended plans were received showing the proposed parking layout consisting of 5 parallel parking spaces arranged within the rear garden area. A cycle shed for 6 cycles is also proposed, as well as an EV charging point.

20. Verbal comments were received from the LHA who raise no concerns with the parking layout and consider the dimensions of the spaces to accord with the SPD.

21. The parking demand associated with 6no. 1-bedroom flats would be 6 parking spaces. The proposed development therefore would result in a shortfall of one space. Officers, in consultation with the LHA, consider that the site is located within a sustainable area of the city within close proximity to local facilities, services and transport links and within walking distance of the city centre.

22. The application site is located within Parking Permit Zone E which is in operation Monday to Friday 10am to 11am. Officers consider this provides little restriction for residential occupants of the proposed flats. However, given the sustainable location and the provision of an adequate level of cycle parking, officers are satisfied that the proposal would not lead to an unacceptable impact on the highway network and would be in compliance with DEV29 of the JLP, subject to conditions. Officers have therefore recommended conditions securing the provision of the parking area, EV charging point and cycle store.

23. The applicant is advised that the property would be exempt from obtaining parking permits, an informative has been included which details this further.

#### Refuse

24. Comments from the residential waste team request the provision of adequate bin storage. Amended plans have been received indicating the location of the proposed bin store. Officers raise

no in-principle concerns and subject to condition consider the scheme to comply with DEV31 of the JLP.

#### Drainage and Flood Risk

25. The site is located within Flood Zone 1 and is considered to be at low risk from fluvial and tidal flooding. Whilst surface water flood risk mapping indicates a flood flow route in Greenbank Road for a 1 in 100 year return period event, the property itself is not indicated to be at risk of flooding.

26. The site is situated in a Critical Drainage Area, where the Environment Agency considers the existing drainage system to be at or close to capacity.

27. The Lead Local Flood Authority (LLFA) have reviewed the information submitted, including the drainage strategy which indicates that the existing combined drainage system from the proposed building discharges into a SWW combined sewer on Greenbank Road which will remain the same. To this end, the LLFA raise no objections to the application and the scheme is considered to comply with DEV35 of the JLP.

#### Climate Emergency

28. Officers have reviewed the submitted climate emergency compliance form which details that no low carbon mitigation or adaptation measures are proposed as part of the scheme. Following negotiations, officers have secured the installation of 1 EV charging point at the site which officers have secured via condition. Whilst it is disappointing the development has not proposed additional measures such as solar panels or air source heat pumps, officers acknowledge the building has always been in residential use and no new floorspace is being created. Therefore, on balance, officers are satisfied that the scheme accords with Policy DEV32 of the JLP and the Climate Emergency Planning Statement (2022).

#### Natural Infrastructure

29. During the course of the application, officers became aware that a tree has been removed at the site. Following this, a small sites metric (SSM) was submitted detailing that the tree measured between 30 to 60cm in diameter at breast height.

30. Given the development is partially retrospective, it is not possible to apply the standard pre-commencement requirement for a biodiversity net gain plan. The application is therefore assessed against policy DEV26 and DEV28 of the JLP and guidance within the SPD.

31. Comments from the Natural Infrastructure Team (NI) state that mitigation planting for the removed tree should be undertaken in line with the SPD to ensure that the proposal is in compliance with the SPD. NI agree with the ecologists' estimate within the SSM that this was likely a medium size tree. Table 28 of the SPD requires between 3 and 6 replacement trees on site.

32. Planting information, including the location of proposed trees was submitted by the applicant. However, concerns were raised by NI with regard to their location, considering that three trees would be sited in a heavily shaded area and thus the location is considered unsustainable. Notwithstanding these concerns, NI are confident that the required number of trees can be suitably accommodated within the application site. As such, officers have recommended a condition to secure further details on landscaping.

33. Amended plans were received during the course of the application which included the installation of 2no. bird boxes within the site. Officers are supportive of the ecological mitigation proposed and have recommended this is secured via condition.



34. To this end, the scheme is considered to be in line with DEV26 and DEV28 of the JLP.

#### Retrospective Applications

35. Since August 2015 national planning policy requires consideration to be given as to whether intentional unauthorised development has been carried out. The new policy applies to all relevant planning decisions made by Local Planning Authorities and Planning Inspectors. The policy has been introduced largely as a result of Government concerns about the harm caused by unauthorised developments in the Greenbelt, but applies equally elsewhere. The policy does not indicate exactly how much weight should be afforded to this in relation to the weight to be given to other material planning considerations. Neither does the policy clarify exactly what evidence is required to demonstrate the unauthorised development has been carried out intentionally.

36. It is clearly highly undesirable for any development to take place before planning permission has been properly sought, and obtained, in any circumstances. However, it should be noted that this new policy only applies where unauthorised development has taken place with the full knowledge of the person(s) undertaking the work that it lacks the necessary consent. In reality, given the difficulties in interpreting these points, it is considered that little or no weight can be given to this aspect, unless the Council has clearly indicated to the applicant that unauthorised development is being carried out, and that works have then continued beyond that point, or where there is some other compelling evidence that such work has intentionally been carried out.

37. Officers note the concerns raised in the letter of representation. Neither of these factors appear to apply in this case, and so it is considered that no weight should be afforded to this particular point in the determination of this application.

#### Planning balance

38. Paragraph 11 d) and Footnote 8 of the Framework state that, where the policies which are most important for determining the application are out-of-date (including where the Local Planning Authority cannot demonstrate a five-year supply of housing land, or where the Housing Delivery Test ("HDT") indicates that the delivery of housing was substantially below the housing requirement over the previous three years), planning permission should be granted unless at least one of two exceptions set out in sub paras (i) and (ii) are met. Given the significant shortfall in the JLP's 5YHLS assessment, it is considered that the most important policies are out-of-date and therefore, unless either of the exceptions apply, the NPPF says that planning permission should be granted.

39. Exception (i) relates to whether the application of NPPF policies that protect a pre-specified list of assets of particular importance provide a strong reason for refusal. These are set out in footnote 7.

40. Exception (ii) relates to whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 9 sets out the NPPF policies that this particularly relates to.

41. Exception (i) is not applicable in this instance as the site is not considered an area or asset of particular importance in relation to footnote 7. With regard to point (ii) it is not considered that the adverse impacts would significantly outweigh the benefits when assessed against the framework as a whole.

42. Officers acknowledge that the LPA do not currently have a five year housing land supply. However, in this instance, no conflict has been identified against the development plan. The proposal is considered sustainable development, providing six dwellings in an accessible location close to services and facilities which would provide a good standard of accommodation without prejudicing

the amenity of existing residents or the wider area. The application is therefore considered acceptable for the reasons discussed and is recommended for conditional approval.

### **9. Human Rights**

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

### **10. Local Finance Considerations**

None.

### **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not sought 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.

Policy DEV9 requires the delivery of 2no. units to M4(2) standards. As detailed in section 8 of this report, the delivery of these units would not be practicable due to the constraints of the application site. An access ramp is proposed to the rear entryway to the site, which is welcomed by the Local Planning Authority.

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

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and will provide six flats of a good standard in a highly accessible location. Amendments have been secured to address concerns around the level of parking proposed and suitable conditions are recommended to safeguard other necessary mitigation. The application is therefore recommended for conditional approval.

### **14. Recommendation**

In respect of the application dated 02.10.2024 it is recommended to Grant Conditionally.

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

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

#### **I        CONDITION: APPROVED PLANS**

Ground Floor Plan Flat 1 3175/1 Rev A received 13/02/25

Ground Floor Plan Flat 2 3175/2 Rev A received 13/02/25

Side Elevation 3179/5 received 19/02/25

Site Location Plan 27092024 received 27/09/24  
Plans and Elevations As Built 3179 2 Rev B received 08/01/25

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: LANDSCAPE DETAILS**

### TIMESCALE FOR IMPLEMENTATION

Within three months of the date of this decision, details of the landscape works shall be submitted to and approved in writing by the Local Planning Authority. The landscape works shall include:

- Soft landscape details:

1. Full soft landscape specification; plant/tree species, number, location and size (to HTA standards), planting spec and establishment care.
2. The arrangement of proposed soft landscape elements (min 1:200 scale). Plans should include a planting schedule for reference.
3. Planting details (1:20 scale or as appropriate) including (but not limited to) 6no. tree species planting within the property curtilage.

All landscape works shall be carried out in accordance with the approved details within twelve months. Any dead or defective planting shall be replaced within a period of 5 years.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with JLP policy DEV20, DEV23 and DEV28 and the National Planning Policy Framework.

## **3      CONDITION: PROVISION OF PARKING AREA**

### TIMESCALE FOR IMPLEMENTATION

Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use within three months of the date of this decision and thereafter that space shall not 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 2019.

## **4      CONDITION: EV CHARGING**

### TIMESCALE FOR IMPLEMENTATION

Within three months of the date of this decision one EV charger, as shown on the approved plans shall be installed/implemented and be in working order. The charger shall thereafter be maintained in perpetuity, and replaced as and when necessary to ensure it remains operational for its intended purpose.

Reason:

In order to promote on-site renewable energy systems and ensure a reduction in carbon emissions in line with Policy DEV29 and DEV32 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the Plymouth and South West Devon Climate Emergency Planning Statement (2022).

## **5      **CONDITION: BIN STORAGE****

### TIMESCALE FOR IMPLEMENTATION

Within three months of the date of this decision the bin storage area shown on the approved plans shall be made available for use. The bin storage area 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. Bins shall be stored in this area at all times except for collection day.

Reason:

To prevent street clutter and polluting effects from refuse storage in accordance with policies DEV1, DEV2 and DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and the National Planning Policy Framework.

## **6      **CONDITION: ECOLOGICAL MITIGATION****

### TIMESCALE FOR IMPLEMENTATION

Within three months of the date of this decision the installation of 2no bird boxes shall be implemented in line with the details supplied in the approved plans.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Joint Local Plan Policies SPT12 & DEV26 and the National Planning Policy Framework.

## **7      **CONDITION: CYCLE PROVISION****

### TIMESCALE FOR IMPLEMENTATION

Within three months of the date of this decision, space is to be laid out within the site in accordance with the approved plan for a minimum of 6 bicycles to be securely parked in a manner compliant with the Supplementary Planning Document of the Local Plan. 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 South West Devon JLP 2019.

## **INFORMATIVES**

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

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

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

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, 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.

### **3 INFORMATIVE: COUNCIL CODE OF PRACTICE**

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):  
<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

### **4 INFORMATIVE: BIODIVERSITY NET GAIN (RETROSPECTIVE DEVELOPMENT)**

In accordance with The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024, this application is exempt from mandatory BNG as the development is partly retrospective and the regulations specifically exclude development to which section 73A of the TCPA 1990 applies (applications where development has already taken place).

### **5 INFORMATIVE: RESIDENT PARKING PERMIT SCHEME**

The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.