

ITEM: 11

Application Number: 09/00941/FUL

Applicant: Mr D Matthews

Description of Application: Proposed residential development comprising 48 units, roads, sewers, car parking and associated landscaping at Boundary Service Station, Tavistock Road

Type of Application: Full Application

Site Address: BOUNDARY SERVICE STATION 443 TAVISTOCK ROAD PLYMOUTH

Ward: Southway

Valid Date of Application: 21/07/2009

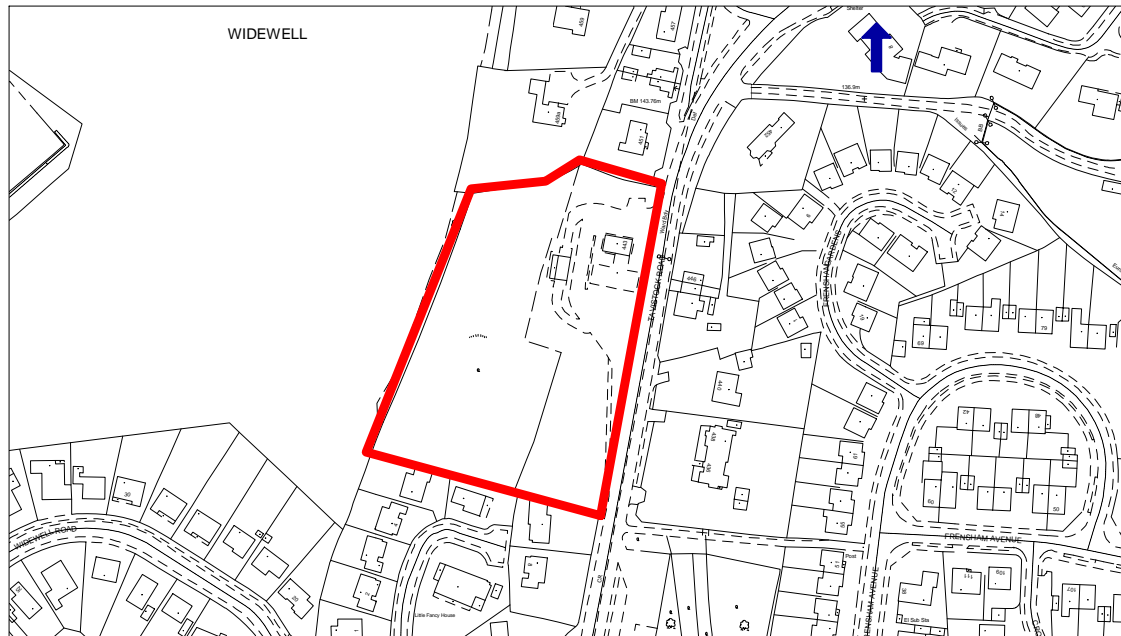
8/13 Week Date: **20/10/2009**

Decision Category: Major Application

Case Officer : Robert Heard

Recommendation: Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 20 October 2009

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OFFICERS REPORT

Site Description

The site is located at the northern end of Tavistock Road, just to the south of Woolwell Roundabout, in the Derriford area of Plymouth. Part of the site is currently in use as a Petrol Filling Station (Texaco) and the remainder of the site is unmanaged grassland that contains a number of mature trees, some of which are protected by Tree Preservation Orders.

The site is predominantly level and is surrounded by a mix of uses. Areas to the north and south are characterised in the main by residential development, although there is a District Shopping Centre to the north east of the site that is anchored by a Tesco supermarket and a hotel, public house and public transport hub (park and ride) to the south. To the west lies Widewell Primary School (the western boundary adjoins the school playing fields) and to the east there is mainly residential development with the odd commercial and retail use. Vehicular and pedestrian access to the site is currently from Tavistock Road which runs adjacent to the eastern boundary of the site and is a main approach route into the city from areas to the north.

Proposal Description

It is proposed to redevelop the site for residential purposes by erecting 48 residential units (28 houses and 20 apartments) with associated car parking, open space, landscaping and other associated works.

Relevant Planning History

08/00649/FUL - Redevelop site by erection of 43 residential units (23 houses and 20 apartments) with associated parking, open space, landscaping and other associated works (demolition of existing petrol filling station). WITHDRAWN following COMMITTEE APPROVAL (failure to complete S106 with specified 4 month period).

Consultation Responses

Environment Agency

Support subject to conditions

Highway Authority

Support subject to conditions

South West Water

No objections

Public Protection Service

Support subject to conditions

Representations

3 letters of representation received, objecting to the application on the following grounds:

1. The protected oak tree should not be removed.
2. Harm to the residential amenities of no. 6 Little Fancy Close.
3. The proposed development does not have enough car parking spaces and the additional housing and associated trips in the area would impact upon the surrounding highway network, causing danger to users of the highway.
4. The proposed dwellings are not in keeping with the character and appearance of existing residential properties and in a few years time the development will be an eye sore.
5. The existing petrol station is a valuable local asset and should be retained.

Analysis

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.

Members might recall that an almost identical application at the site, for 43 residential units, was approved by the planning committee on 13th November 2008, subject to conditions and the successful completion of a Section 106 agreement (within 4 months of the date of the committee). Following very little progress on the Section 106 Agreement within the agreed 4 month period, the application was reported back to the planning committee on the 26th March, recommend for refusal due to lack of progress on the Section 106, failure to provide the financial contributions required to adequately mitigate for the impact of the proposed development on local public services and infrastructure and failure to deliver an acceptable affordable housing package. This recommendation was supported and the application refused. Since then the applicants have been in pre-application discussions in order to provide the required amount and mix of affordable units at the site and a Section 106 Agreement is well advanced, in order to secure 30% affordable housing at the site and to ensure that the application contributes to the Plymouth Development Tariff.

It is considered that the main issues in the consideration of this application are the impact that the proposed development will have on: the character and appearance of the area, design and visual amenity, nearby properties residential amenities, the surrounding highway network and the protected trees and hedgerows at the site (landscaping). These issues will now be addressed in turn:

Layout, Character and Appearance

Policy CS43 refers to siting, layout, orientation, local context and character. The form of existing residential development in the area is fairly conventional. Immediately adjacent to the site (both north and south) and across Tavistock Road to the east the character of the area is defined by medium sized detached properties, the majority of which are no higher than 2 storey, with adequate sized curtilages. Slightly further away, there are more dense developments, in particular approximately half a mile to the south along Tavistock Road there is a recently completed block of 15 luxury apartments and a development of 'key worker' residential units which are in the form of high density contemporary apartments.

The proposed development includes the creation of a new single vehicular access point from Tavistock Road into the site (to the south of the existing access that serves the Petrol Filling Station). The internal road pattern is designed taking a homezone approach and creates a number of shared surfaces and courtyards that give priority to the pedestrian, so that the development is not dominated by roads and vehicles. A number of dwellings have been positioned fronting the new access road in order to create a formal street pattern and to create natural surveillance of the road and shared areas within the site. A small cul de sac is positioned off the new access road between 2 of the proposed houses fronting onto it and creates a traditional squared area that contains 6 dwellings (semi detached), arranged facing into the cul de sac.

As the new access road approaches the rear (west) of the site it turns north and then east and this marks a change in the type of development on the site from detached houses to 2 terraces of 12 townhouses along one side of the road with an apartment block of 20 units on the other. The road surface changes to block paving in this part of the development in order to create a recognisable pedestrian zone off the main access road. The proposed terraces are arranged facing the block paved road in order to continue the formal street pattern and maintain natural surveillance of the public areas of the site.

The proposed apartment block is arranged as an outward facing U shaped block with internal courtyard so that it provides a positive frontage to the areas of the site that it faces. The apartment block is located adjacent to the front (east) of the site so that a building line is created along the sites frontage. The apartment block is three storeys in order to address the road so that the development is not inward looking and does not turn its back on the surrounding areas. This is important as the site is considered to be a gateway site on a main approach route into the city. As stated the roads within the

proposed development are designed to be pedestrian friendly and a homezone approach is taken by using different surfacing materials within the site and by the arrangement of parking and landscaping. The application also provides good pedestrian circulation through and around the site and small areas of public open space for children to play.

It is considered that the proposals would provide a well thought out development that is easy to get to and move through and around (for both vehicles and pedestrians) and has public and private spaces that are safe, attractive, easily distinguished and accessible. The layout of the development is therefore considered acceptable.

Design and Visual Amenity

The whole site follows the same design approach and the different dwelling types and apartment block contain some similar features that ensures that the scheme has balance and a considered design approach, through subtle repetition of features and materials. The proposed dwellings are predominantly finished in render which is the dominant local material in this part of Plymouth, but subtle use of slate (another local material) on features such as projecting bays ensures that the external appearance and elevations are interesting and varied.

The proposed apartment block is perhaps the most important as it will be the dominant building on the site when viewed from the public realm that surrounds it and is the closest building to Tavistock Road, a busy approach route both in and out of the city. The apartment block has therefore been designed to be 3 storeys in height in order to give the development a presence in the streetscene and to provide a positive frontage to the site. Projecting bays clad in slate add interest and rhythm to the elevations with render again being used as the dominant material for elevations. Shared areas such as stairwells are distinguished by timber cladding and this ensures a mixed materials palate is used at the site.

It is considered that the proposed development provides a high quality contemporary housing development that is sensitive to the character of the surrounding area, respecting elements of the more traditional housing in the area whilst not being a slavish copy of the local style. The development is therefore considered to make a positive contribution to the streetscene whilst creating presence to the existing building line on this side of Tavistock Road and enhancing local visual amenity. The application is considered compliant with Policy CS02 (Design) of the City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

The properties in closest proximity to the site are located on Little Fancy Close. In particular, 3 properties (numbered 5, 6 and 7) are located alongside the southern boundary of the site. The layout of the site has been arranged in order to minimise impact on the surrounding properties. The proposed dwellings at the southern end of the site that will be closest to the properties on Little Fancy Close have been deliberately kept to 2 storey and oriented in such a way that they would not cause significant overlooking or loss of privacy. With regards to sunlight, the site is located to the north of Little Fancy Close so will not impact upon these properties (5,6 and 7 Little Fancy Close) aspect or the sunlight levels that they receive. The application also proposes that a 1.8 metre high boundary wall is erected along the southern boundary of the site to ensure that there is a definitive boundary and that garden spaces remain as private as possible.

There are 2 existing properties to the north of the site that would share a boundary with the proposed development. However, the closest of these is 9 metres from the boundary of the site and 16 metres from the nearest proposed dwelling on the site. These separation distances ensure that no conflict is created between the existing properties to the north of the site and those proposed by this application.

The layout of the site has been arranged so that the relationship between the proposed dwellings and apartments is not unacceptable. Each dwelling has its own private rear garden and there is open space within the proposed development for future occupiers of the proposed apartments to use. The application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

Highways issues

As stated, the site currently operates as a petrol filling station and has two access points onto Tavistock Road.

The scheme will set back the development line to provide land to the Highway Authority for a future widening scheme of Tavistock Road. This will also prevent right turns into the site, which will be of benefit to the northbound traffic flows. As such the junction of the site to Tavistock Road has been designed as left-in left-out only.

The applicant has produced a Transport Statement in support of the application. It concludes that the change of use from a petrol filling station to a residential development will reduce peak hour traffic flows. The impacts of the traffic on the existing network are considered to be minimal and with the benefit of preventing right turns there are likely to be improvements in flow capacity past the site.

The applicant is proposing a parking provision of 1.44 spaces per dwelling. This accords with the City Councils parking provision of a maximum 1.5 spaces per dwelling. The site is well served by Public Transport and is a short walk to the George park and ride facility with direct bus services to the City

Centre. The close proximity to schools and local shops makes this an accessible site with good potential for sustainable travel choices.

The Councils Highways Officer has stated support for the application, subject to conditions.

Landscaping

Part of the site is currently in use as a Petrol Filling Station with the remainder being unmanaged grassland. Along the north and west boundaries there exists a mature hedgerow that contains many protected trees. However, these hedgerows and trees are not located on the site and are therefore not within the site ownership. They are therefore retained and provide an excellent natural screen from areas to the north and west, as well as acting as a green backdrop to the site, creating a unique setting within an already mature landscape.

The application proposes a coordinated hard and soft landscaping scheme in order to create an integrated and pleasant place to live for future occupiers. As well as private front and rear gardens the proposal contains areas of landscaping and open space in order to provide adequate soft landscaping areas and to present an attractive environment that is not dominated by built form and that has small pockets of land for children to play.

There are 3 protected oak trees within the site that are proposed to be removed in order to facilitate the proposed development. Whilst it is always desirable to retain protected trees, in this particular case their location on the site makes it difficult for them to be retained whilst achieving a satisfactory standard of development. It is also worth noting that one of the trees is positioned above a water main and advice from South West Water is that this tree should not be retained. Also, all 3 trees are category 'C' due to previous damage and these trees therefore have a limited life span. Whilst the Council's Tree Officer is against removal of the 2 trees not affected by the water main, it is considered that this is necessary in order to facilitate the development and bring forward this Brownfield site for redevelopment.

Replacement tree planting is proposed at the front of the site in order to mitigate against the loss of the protected trees and the protected hedgerow and trees on the north and western boundaries are retained, therefore the site will benefit from an already mature landscape on its north and western boundaries and this combined with the new planting will ensure that the site benefits from more than adequate levels of soft landscaping. The loss of 3 category C protected trees is therefore not considered to be a fundamental concern that should prevent the site's redevelopment and the application is considered compliant with Policy CS18 of the City of Plymouth Local Development Framework Core Strategy (2007).

Letters of Representation

The grounds for the 3 letters of objection are listed above in the Representations section. Taking each point raised in turn; removal of the protected trees has been discussed above; residential amenity issues

(particularly in relation to properties on Little Fancy Close) have already been examined in this report; with regards to car parking spaces, the application accords with national standards and is considered acceptable by the Councils Highways Officer; with regards to comments made that the proposed dwellings are not in keeping with the character and appearance of the area, the scheme has been amended significantly since the proposal was at pre-application stage in order to improve its design and external appearance. The application shows an interesting, contemporary development that utilises a varied materials palette and contributes positively to the streetscene and visual amenity; finally, there are no planning policies to protect the petrol filling station and there is a supermarket with petrol filling station within walking distance of the site.

Equalities and diversities issues

This development affects people of all ages and from all backgrounds as it provides open market housing that will be made available for sale to the general public. It specifically affects those on lower incomes on the Councils Housing Register as it provides 30% of the proposed residential units as affordable housing, to be managed by a Housing Association. Older people will also be specifically affected as the development will provide 20% of dwellings to Lifetime Homes standard. The benefits to these groups are considered to be positive.

No negative impact to any equality group is anticipated. The financial mitigation, secured by Section 106 under the Plymouth Development Tariff will benefit the whole community by providing money to be spent on Green Space, Sport and Recreation, Libraries, Health, Children Services and the Public Realm.

Section 106 Obligations

In accordance with the Plymouth Development Tariff, the application generates the following contributions:

Children Services	£32, 419.00
Health	£6, 482.00
Libraries	£3, 312.00
Green Space	£ 38, 063.00
Recreation and Sport	£30, 602.00
Public Realm	£1, 615.00
Management Fee	£5, 624.50
Total	£118, 117.50

There is no transport element as the development is set back in order to provide land to the Highway Authority for a future widening scheme of Tavistock Road.

Conclusions

To summarise, this application will provide 48 new residential units (28 houses and 20 apartments) with 30% to be provided as affordable housing, to

be managed by a Registered Social Landlord. Dwelling types are varied across the site from 2 bed apartments to 3 bed houses. The application also proposes a new access, car parking and landscaping in order to provide adequate amenities and facilities at the site.

It is considered that the application proposes high quality contemporary housing in an attractive setting that benefits from existing mature landscaping to present an attractive development. The design is varied and imaginative and presents a strong built form along Tavistock Road. The layout is varied and allows for a good amount of landscaping, without being dominated by areas of car parking.

The proposed development would not impact significantly upon nearby properties residential amenities due to the layout and orientation of the proposed dwellings and would not harm the surrounding highway network, providing adequate levels of off street car parking. The application is therefore recommended for approval, subject to conditions and the successful completion of a S106 agreement by October 20th 2009, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by this date.

Recommendation

In respect of the application dated **21/07/2009** and the submitted drawings, **922/01, 922/02, 922/03, 922/04A, 922/05C, 922/06C, 922/07C, 922/08/01, 922/08/02, 922/060C, 922/10/10A, 922/10/01, 922/10/02, 922/11/10A, 922/11/01, 922/11/02, 922/12/10A, 922/12/01, 922/12/02A, 922/12/03, 922/13/10A, 922/13/01, 922/13/02, 922/14/10, 922/14/01, 922/14/02, 922/15/10A, 922/15/11B, 922/15/01B, 922/15/02B, 922/15/03B, 922/16/10A, 922/16/11, 922/16/01, 922/16/02A, 922/16/03A, 922/40/10A, 922/40/11A, 922/40/01, 922/40/02, 922/40/03** and accompanying **Design and Access Statement, Ecological Inspection, Transport Statement, Noise Assessment, Flood Risk Assessment, Planning Statement, Outline Remedial Strategy, Topographical Survey and Arboricultural Report** , it is recommended to: **Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 20 October 2009**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

CODE OF PRACTICE DURING CONSTRUCTION

(2) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development (including demolition of the existing structures at the site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

(3) No development shall take place until samples of the materials 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 CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(4) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of completion of the last dwelling forming part of the development.

(a) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with BS 3998:1989(Recommendations for Tree Work).

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or is lopped or topped in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Guide for Trees in relation to construction) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground areas within those

areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

DETAILS OF BOUNDARY TREATMENT

(5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the first dwelling to be constructed at the site. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FLOOD RESILIENT SCHEME

(6) No development approved by this permission shall be commenced until a scheme for flood resilient and resistant construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason:

To reduce flood risks.

SITE CHARACTERISATION

(7) An investigation and risk assessment, in addition to any assessment provided with the planning application, must 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:

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

- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological 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'.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

SUBMISSION OF REMEDIATION SCHEME

(8) 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 must 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.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(9) The approved remediation scheme must 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 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.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

REPORTING OF UNEXPECTED CONTAMINATION

(10) 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. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, 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 condition 9.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

NOISE

(11) The development shall be constructed so that the living areas of all residences meet the 'good room' criteria as set out in BS8233:1999.

Reason:

The development is located adjacent to a main thoroughfare into the city from the north. The site is also in the near vicinity of a local airport.

MATERIALS

(12) Notwithstanding the details shown on drawing 992/40/10A, the 4 projecting bays shown on the east elevation of plots 29-48 facing Tavistock Road shall be clad in hanging slate at ground floor level in order to match the first and second floors. A sample of the proposed slate shall be submitted to and approved in writing by the Local Planning Authority and 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 CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

LANDSCAPE DESIGN PROPOSALS

(13) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOFT LANDSCAPE WORKS

(14) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

LANDSCAPE WORKS IMPLEMENTATION

(15) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

PUBLIC OPEN SPACE/PLAY SPACE

(16) No development shall commence on site until further details showing the layout, arrangement and treatment (including furniture, play equipment and means of enclosure) of the proposed LAP and POS areas shown on the plans hereby approved have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the development provides adequate play and open space, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE MANAGEMENT PLAN

(17) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, POS and LAP areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

RENEWABLE ENERGY

(18) The proposed development is for 10 or more new residences and, as such, generates a requirement to incorporate onsite renewable energy production equipment offsetting at least 10% of predicted carbon emissions. Details of this equipment shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of work on site. This equipment shall then be installed and made operational prior to first occupation of the first dwelling

Reason:

In order to ensure that the proposed development makes appropriate contributions towards reducing the City's ecological footprint and the causes of climate change, in accordance with policy CS20 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

STREET DETAILS

(19) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

COMPLETION OF ROADS AND FOOTWAYS

(20) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 19 above before the first occupation of the penultimate dwelling.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS

(21) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PROVISION OF PARKING AREA

(22) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied 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 Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

GRAMPIAN

(23) No development shall commence on site until the proposed access and improvements to the existing highway shown on plans to be submitted to and approved by the Local Planning Authority have been provided. Furthermore no dwelling shall be occupied until such time that the agreed works have been completed to the satisfaction of the highway authority.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS

(24) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:-

Full details of the proposed refuse and cycle storage, including location, scale and materials.

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BIODIVERSITY

(25) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Biodiversity Mitigation and Enhancement Strategy (dated September 2009) for the site.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9

BIODIVERSITY MANAGEMENT

(26) Unless otherwise previously agreed in writing with the Local Planning Authority, a Biodiversity Management Plan shall be submitted for approval by the Local Planning Authority prior to commencement of works on site. This plan shall safeguard the biodiversity interest in perpetuity.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9.

METHOD STATEMENT/RISK ASSESSMENT

(27) Prior to the removal of tanks from the site a Method Statement and Risk Assessment must be submitted to and approved in writing by the Local Planning Authority, in accordance with The Dangerous Substances and Explosive Atmospheres Regulations 2001 (DSEAR) and having account for Approved Code of Practice L134 - 'Design of Plant, Equipment and Workplaces.

Reason: Requirements need to be met with regard to the above legislation prior to using any plant, equipment or area which handles, produces or processes dangerous substances, or making modifications, or changing the operating conditions or type of dangerous substance handled. This includes measures that may be needed to make redundant plant and equipment safe.

INFORMATIVE: SOUTH WEST WATER

(1) The developers attention is drawn to the comments and requirements of South West Water, a copy of which will have been sent direct to the applicant or applicants agent.

INFORMATIVE: CODE OF PRACTICE

(2) The management plan required by condition 2 shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

1. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
2. Construction traffic routes, timing of lorry movements, weight limitations on routes, initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, wheel wash facilities, access points, hours of deliveries, numbers and types of vehicles, construction traffic parking.
3. Hours of site operation, dust suppression measures, noise limitation measures.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the impact of the proposed development on visual amenity and the streetscene, the residential amenities of nearby property occupiers, the surrounding highway network and public safety and amenity, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- PPS3 - Housing
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS20 - Resource Use
- CS21 - Flood Risk

CS03 - Historic Environment
CS02 - Design
CS15 - Housing Provision
CS16 - Housing Sites