

ITEM: 02

Application Number: 09/01559/FUL

Applicant: Mr and Mrs P Mayer

Description of Application: Demolition of dwelling and construction of 14 dwellings with associated road and landscaping

Type of Application: Full Application

Site Address: HOLTWOOD, PLYMBRIDGE ROAD PLYMOUTH

Ward: Moor View

Valid Date of Application: 10/12/2009

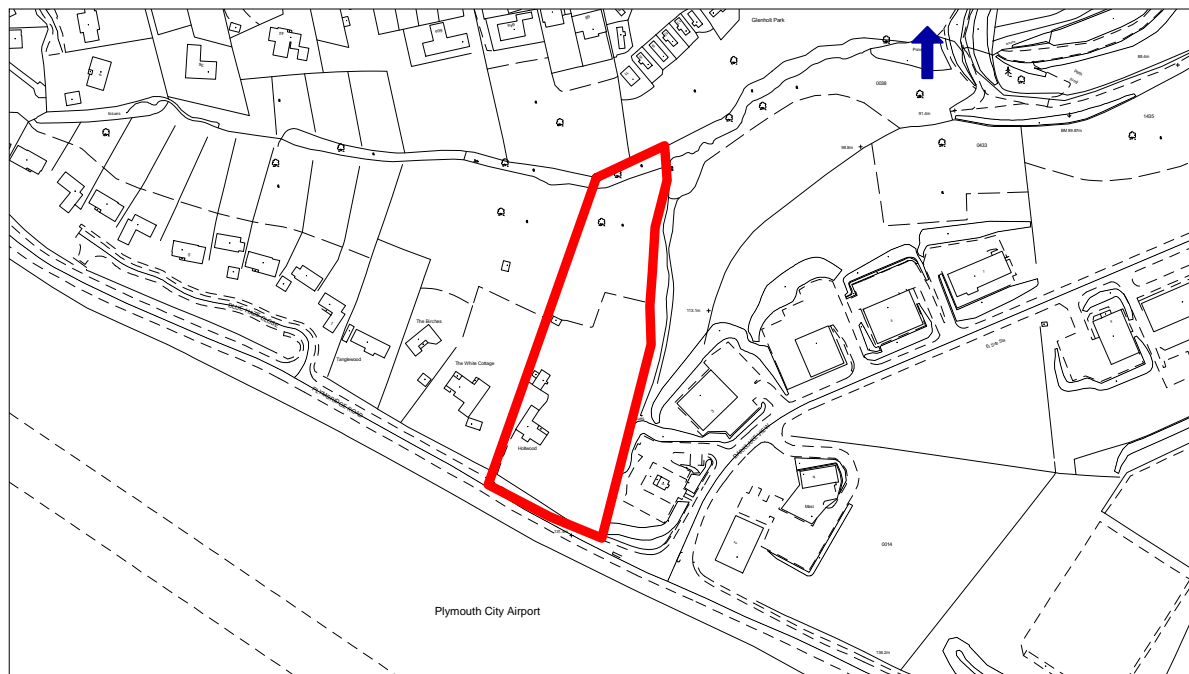
8/13 Week Date: **11/03/2010**

Decision Category: Major Application

Case Officer : Karen Gallacher

Recommendation: Refuse

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OFFICERS REPORT

Site Description

The site is currently occupied by a large single dwelling with extensive areas of curtilage. It is located within the Glenholt area which is on the northern fringes of the city. Surrounding development is a mix of residential, with various industrial estates nearby to the west and Plymouth City Airport just across the road to the south of the site.

Land levels at the site fall away fairly steeply from the road (south to north) and a Tree Preservation Order covers the entire site. The site (in conjunction with the neighbouring plot 'The White Cottage') benefits from a planning permission for the construction of 30 dwellings.

Proposal Description

It is proposed to demolish the existing house and develop the site with the erection of 14 dwellings with associated road and landscaping. The access already benefits from planning permission.

Relevant Planning History

08/00424 – creation of new access into Holtwood - GRANTED
06/01770/FUL - Demolition of existing houses and redevelopment of site by erection of 30 dwellings (21 houses and 9 flats) with associated access roads and parking facilities. PERMITTED but no longer extant.

Consultation Responses

Highway Authority – no objections subject to conditions.

Public Protection Service – awaited

Airport – no objection

Representations

2 letters of representation have been received, objecting to the application on the following grounds:

1. The access would be a highway danger.
2. The design and number of properties would lead to a form of development that would be out of character with development in the area.
3. The application papers do not enable a proper assessment of the impact of the development on the protected trees, drainage or stream.
4. The access works encroach on to neighbouring land,

- 5 Insufficient information to assess impact on neighbours.
6. The proposed road stops short of the boundary and presents a ransom strip to development of the adjacent site.
7. Levels for the road are unclear.

Analysis

Principle of development

Residential planning permission for 30 dwellings was granted in 2006 for the development of this site, in conjunction with the neighbouring site, which is known as The White Cottage. The proposed layout on the Holtwood site is similar to that as approved for the whole site, but the access for the previous proposal was onto The White Cottage site and this proposal does not include any of the development on The White Cottage site. The main problem with developing this site on its own is that it would result in a piecemeal form of development that would be out of character with development in the vicinity. This issue was raised at pre application stage with the applicant. The development of this site on its own would be contrary to policies CS01 and CS02.

Access and road layout

The access was granted permission last year. The approved access is compatible with the details submitted with this application. There are no significant changes in policy or in site circumstance since the approval last year, therefore, whilst the objections from neighbours relating to access have been considered, they do not outweigh the decision made last year.

There are no objections from the Highway Authority in respect of the access and layout of the road. There are therefore no conflicts with policy CS28 in this respect.

The main problem with the road layout is that it is not shown to extend to meet the adjacent site, despite this being advised at pre application stage. The road ends approximately 2m from the boundary, which would leave a ransom strip that could prevent the neighbouring site being developed. It is unlikely that permission would be granted for a second access onto Plymbridge Road into the adjacent site, and so access needs to be preserved through this site. This would prevent the neighbouring sites from being developed and would therefore be contrary to policies CS01 in terms of character of the area and CS15 and PPS3 in relation to efficient use of land.

Character and appearance

The plans display similar characteristics to the previously approved scheme. However, since that application was approved new design guidelines have

been adopted in the form of the design SPD, which also incorporates the new building for life criteria.

In accordance with good urban design practice, the built form does not sufficiently reinforce the street. The arrangement of buildings does not reinforce or define the public space and dwellings are not parallel to the street but set at a variety of angles. The buildings at the entrance should reinforce the approach to the site, with a limited opportunity to relate to Plymbridge Road, whereas in the scheme, these are set back with drives and garages visible in front. The end elevations of buildings do not adequately address the street.

The street arrangement does not create a strong sense of place or follow a strong logic, especially with the arrangement of the hammer head and spur road. The scheme layout is derived from the highway layout and turning head, rather than being defined by the building layout.

Whilst the site offers particular opportunities because of its mature vegetation, the design is not locally distinctive. The use of brick, reconstituted slate and brick walls are not locally distinctive and not supported. This is a semi-rural location on the edge of Plymouth overlooking Dartmoor and needs to reflect this with use of local materials. The proposal is considered therefore to be contrary to policies CS01, CS02 and SPD1.

Housing type

The Glenholt Sustainable Neighbourhood Assessment confirms that the majority of properties within Glenholt are detached, and flats and terraced properties are very limited. It recommends that new housing developments, such as this, should be primarily higher density with greater mix of housing type and tenure. In addition, in Glenholt 92.5% of the housing stock is owner occupied. It recommends that ways to increase affordable housing stock should be considered in new development to meet PCC's policies of 30%. This development of family housing does not therefore reflect local need or meet affordable housing requirements and is contrary to the aims of policy CS15 and PPS3.

Residential Amenity

The relationship between dwellings is acceptable in terms of amenity levels. There has been concern expressed from the neighbour at The White Cottage that the proposal will cause loss of amenity to that property. The plans show that the proposed new dwellings would be a sufficient distance from this property. Proposed dwellings with windows facing the site would be approximately 30m from the White Cottage and have 15m long rear gardens. Proposed property with flank walls facing the White Cottage would be more than 12m from it. The changes in level between the properties mean that these distances meet the SPD guidelines and there would be no significant loss of amenity. The proposal complies with policies CS34, CS15 and SPD1 in this respect.

Ecology and greenscape issues

A significant roost of brown long-eared bats has been recorded on site. The Conservation (Natural Habitats) Regulations 1994 apply to European Protected Species (EPS) such as bats. As an authority before permission can be granted we must be clear that the three derogation tests listed in these regulations have been satisfied. The onus is on the developer to show that these tests have been satisfied, and the advice from the nature conservation officer is that this application fails to show that these tests are satisfied. The proposal is therefore contrary to policy CS18 and PPS9 in this respect.

In addition, policy CS19 requires that a development such as this should result in a net gain for nature conservation. The information provided with the application on biodiversity net gain is insufficient as it only addresses bats. A biodiversity budget, showing a net biodiversity net gain should be produced which sets out what habitats and species are present before and proposed after development. The proposal is therefore contrary to policy CS19 in this regard.

The layout in relation to the trees is similar to that approved in 2006. The tree survey has been updated. The tree officer's advice will be reported to the committee in an addendum report.

The scheme also provides access to the greenscape area to the rear of the site which is in accordance with the aims of the sustainable neighbourhood assessment. Whilst some improvements to this access could be achieved by condition, it is considered that the access shown is sufficient to meet this requirement. However, insufficient information has been submitted to show that the impact of the development on the Greenscape area is acceptable. The proposal is therefore considered to be contrary to policy CS18.

Infrastructure

The application is accompanied by a unilateral undertaking which offers the tariff payment at 50%. There is no accompanying viability statement to support this level of payment. In addition to the standard tariff requirements, the sustainable neighbourhood assessment identifies that there is a lack of certain community facilities within the neighbourhood which could be encouraged, such as a crèche, primary school, pub, neighbourhood sports facility, community centre, and small park. It is therefore considered that this application does not meet the infrastructure requirements and is contrary to policy CS33 in this respect.

Renewable energy production

The Design Statement submitted with this application makes reference to sustainable development (section 5), but there is no information on how it will comply with LDF Core Strategy Policy CS20. Policy CS20 encourages a broad range of issues relating to sustainable design and construction, but

there is a bare minimum requirement for new residential developments comprising 10 or more units to incorporate onsite renewable energy production equipment to off-set at least 10% of predicted carbon emissions for the period up to 2010, rising to 15% for the period 2010-2016. The proposal does not show how it would comply with this policy.

Lifetime homes

Policy CS15 requires that for this type of development 20% of the units should be built to lifetime homes standard. This application does not offer that standard and is therefore in conflict with this policy

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.

Section 106 Obligations

The application is accompanied by a unilateral undertaking which offers the tariff payment at 50%. There is no accompanying viability statement to support this level of payment. In addition to the standard tariff requirements, the sustainable neighbourhood assessment identifies that there is a lack of certain community facilities within the neighbourhood which could be encouraged, such as a crèche, primary school, pub, neighbourhood sports facility, community centre, and small park. It is therefore considered that this application does not meet the infrastructure requirements and is contrary to policy CS33 in this respect.

Conclusions

The proposal has not taken on board a number of issues that were raised at pre application stage and is unacceptable because it is a piece meal development that does not reflect the needs or characteristics of the area. In addition, it fails to meet policy requirements in terms of nature conservation, renewable energy, infrastructure and lifetime homes.

Recommendation

In respect of the application dated **10/12/2009** and the submitted drawings, **location plan, 15 Rev A, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and the accompanying design and access statement** , it is recommended to:
Refuse

Reasons

PIECEMEAL DEVELOPMENT

(1) In the opinion of the Local Planning Authority, the proposed development constitutes a piecemeal form of development, which would be out of character with development in the vicinity and would be contrary to policies CS02 and CS01 of the local development framework core strategy.

PREJUDICE FUTURE DEVELOPMENT

(2) In the opinion of the Local Planning Authority, the proposed development would prejudice the future development of the neighbouring site by leaving a ransom strip between the end of the proposed road and the adjacent site. The policy would be contrary to policies CS02 and CS15 of the local development framework core strategy and PPS3.

INADEQUATE INFRASTRUCTURE

(3) Insufficient justification has been submitted by means of a viability report to support the reduced tariff contributions that have been put forward in this application, therefore, the proposed development would not bring forward adequate proposals for infrastructure provision, which would arise as a direct consequence of the development. It is therefore contrary to the Local Development Framework Core Strategy Policy CS33 and the planning obligations and affordable housing supplementary planning document.

NO RENEWABLES

(4) In the opinion of the Local Planning Authority, the proposed scheme does not include sufficient detail to show sustainable drainage or energy performance measures and as such is contrary to policy CS20 of the local development framework core strategy.

LACK OF CHARACTER

(5) In the opinion of the Local Planning Authority, the proposed arrangement of buildings does not reinforce or define the public space or address the street, and the use of materials does not give rise to a development of local distinctiveness or character. The proposal is therefore considered to be out of character and contrary to policy CS02 and CS01 of the local development framework core strategy.

LIFETIME HOMES

(6) In the opinion of the Local Planning Authority, the proposed development would not provide any lifetime homes and would therefore be contrary to the aims of policy CS15 of the local development framework core strategy.

HOUSING NEED

(7) In the opinion of the Local Planning Authority, the proposed development of family housing does not meet the local housing need, which is for higher density, rented, affordable property. The proposal is therefore considered to be contrary to policies CS15 and PPS3 Housing.

BATS

(8) A significant roost of brown long-eared bats has been recorded on site. The Conservation (Natural Habitats) Regulations 1994 apply to European Protected Species (EPS) such as bats. The developer has not shown that these regulations have been satisfied and the application is therefore contrary to policy CS19 of the local development framework core strategy and PPS8 Biodiversity and Geological Conservation.

NATURE CONSERVATION

(9) In the opinion of the Local Planning Authority, the proposed development does not provide sufficient information to show that the development would result in a net gain for the biodiversity of the site and would not harm the adjacent area of greenscape. The proposal is therefore considered to be contrary to the aims of policies CS18 and CS19 of the local development framework core strategy and to PPS9 Biodiversity and Geological Conservation.

Relevant Policies

The following (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning 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 Government Policy Statements and Government Circulars, were taken into account in determining this application:

PPS3 - Housing
PPS9 - Biodiversity and geological conservation
PPS23 - Planning & Pollution Control
CS28 - Local Transport Consideration
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision