

**ITEM: 12**

**Application Number:** 10/00851/OUT

**Applicant:** Mr H Shibl

**Description of Application:** Erection of 5 storey building containing 21 student cluster flats (250 bedrooms) and 14 one bedroom self contained flats all for occupation by students in full time education with ancillary wardens office and separate building containing retail (use class A1) unit with 2 bedroom flat above and associated car parking, public open space and cycle path

**Type of Application:** Outline Application

**Site Address:** FORMER TOTHILL SIDINGS LAND SOUTH OF KNIGHTON ROAD PLYMOUTH

**Ward:** Sutton & Mount Gould

**Valid Date of Application:** 08/06/2010

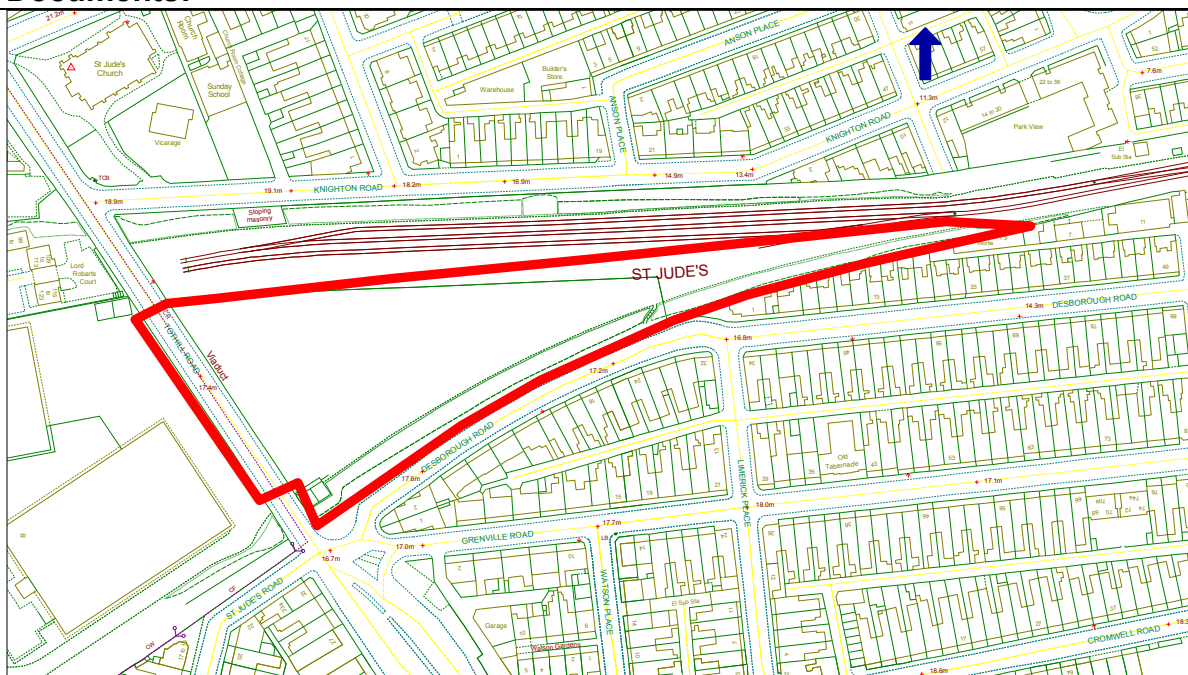
**8/13 Week Date:** **07/09/2010**

**Decision Category:** Major Application

**Case Officer :** Robert Heard

**Recommendation:** Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 31 August 2010

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## **OFFICERS REPORT**

### **Site Description**

The site comprises of a triangular shaped parcel of land approximately 1.3 hectares in size, located in a 'cutting' between Desborough Road and Knighton Road in St Judes. It is a former railway sidings but has been disused and vacant for many years, although railway tracks are still located on land close to the northern boundary of the site (the abandoned line runs out towards Laira Bridge and beyond towards Plymstock Quarry). The site is largely covered by concrete hard surfacing and there exists a securely fenced water services compound in the south western corner that contains a concrete block structure likely to be a pumping station.

The site is generally level with the exception of a 5-7 metre cut slope which forms the south eastern boundary between the main site area and Desborough Road at the higher level. The site has a unique setting, being 'sunk' and at a lower level than all of the land and development that surrounds it. The site is bounded to the north by railway sidings with a high embankment leading up to Knighton Road, to the west by Tothill Road Viaduct with Friary Retail Park beyond and to the south by an embankment leading up to Desborough Road. The site narrows significantly to the east where the disused railway line continues.

Surrounding development to the north, east and south is mainly residential, with bulky goods retail development immediately to the west leading into the City Centre along Exeter Street, which is only a 700 metre walk from the site. The surrounding residential development is period in character and mainly in the form of Edwardian and Victorian terraces, many of which have been sub divided into smaller flatted units.

### **Proposal Description**

This application is made in outline but with reserved matters approval sought for the access, appearance, layout and scale with only landscaping details reserved for future consideration.

The application proposes to erect a 5 storey building on the northern part of the site containing 21 student cluster flats (a total of 250 bedrooms) with 14 one bed self contained flats on the top floor (all for occupation by students in full time education) and ancillary wardens office. A separate building is also proposed in the south west corner of the site alongside Desborough Road, containing a retail (A1) unit of 60 square meters floorspace with 2 bed flat above (not restricted to student use). Details of associated car parking, open space and cycle path are also included.

The proposed layout locates the majority of development close to the northern boundary of the site, whilst retaining a 21 metre gap between the proposed buildings and site boundary for a future transport link that is safeguarded in the Adopted Sutton Harbour Area Action Plan. Development on this part of

the site is in the form of a large 5 storey apartment block that is divided into 3 equally sized linked sections. This building contains the 21 student cluster flats proposed (containing a total of 250 bedrooms) and 14 self contained one bed student flats.

Further development (much smaller in scale) is situated close to the southern boundary of the site and presents a street frontage to Desborough Road. This is in the form of single building that is modern in design, which due to the differing land levels at the site presents a flat roofed 2 storey facade to the road, but when viewed from within the site appears a lot taller, being built into the bank on the southern boundary. The proposed A1 (retail) unit is located within this building, with a 2 bed apartment proposed above.

Access to the site is from the signalised junction on Exeter Street, through Friary retail park via an existing service road that runs alongside the existing Wicks building and underneath the railway arch into the site. A total number of 58 car parking spaces are provided at the site, mainly within the lower levels of the proposed apartment block on the northern side of the site.

### **Relevant Planning History**

09/01409/OUT - Outline application to develop land by erection of 151 flats and 140 sqm of class A1 (retail) space, provide 157 car parking spaces (vehicular access via Friary Retail Park) and provide open amenity land (details of access, appearance, layout and scale submitted). REFUSED

08/00432/FUL – 123 Flats at Tothill Sidings, St Judes, Plymouth. WITHDRAWN

### **Consultation Responses**

#### **Environment Agency**

Comments awaited and will be presented in an addendum report.

#### **Highway Authority**

Comments received. Support subject to conditions.

#### **Public Protection Service**

No objection subject to conditions.

#### **Highways Agency**

No objections.

### **Representations**

18 letters of representation received, all in objection to the application on the following grounds:

- There is not enough parking, increasing parking problems and traffic fumes in St Judes.

- The introduction of students to the area will raise noise issues, particularly late at night.
- Unreasonable impact upon neighbouring residents residential amenities.
- The development is an unsightly blot on the landscape and vista that is characterised by traditional Victorian terraced houses.
- Negative impact upon dwellings in Desborough Road and Knighton Road.
- The area is already saturated with student properties.
- The development will cause an increase in crime levels in the area.
- The design is poor.
- The height, scale and massing is wrong and results in over development.

### **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.

This application raises a number of key planning issues; the principle of residential (student) development at the site; design, massing and layout considerations; highways, access and parking and residential amenity impacts. Other issues such as renewable energy provision and biodiversity mitigation are also relevant.

### Principle of Development

The site is brownfield land that is no longer required for its previous use as a railway sidings and it is therefore a site that has potential for redevelopment. The site is not constrained by any restrictive planning policy (other than the aforementioned safeguarded transport link) and is surrounded in the main by residential development. With regards to policy, the principle of redeveloping the site is therefore acceptable. With regards specifically to student accommodation, the site is close to the University and the City Centre and is well served by public transport, making it an ideal location for student accommodation. Concerning issues of density, the East End Sustainable Neighbourhood assessment indicates a shortage of higher density flats inland within the area.

### Design, Massing and Layout

The layout of the site is described above in the 'Proposal Description' section of this report. The application proposes to locate the majority of the proposed development along the northern part of the site but as the site narrows to the east the building line becomes closer to the southern boundary of the site. The layout of the proposed development is considered to be a positive

response to the constraints of the site, given its unusual shape and topography (being sunk and at a significantly lower level than the existing surrounding development).

The proposed retail unit with apartment above is positioned at the south west corner of the site, adjacent to the existing service compound that unfortunately cannot be relocated. This building is an important element of the scheme and provides a street presence on Desborough Road. It delivers a much-needed local amenity (as it is likely to be occupied by a convenience store or corner shop) for a part of the neighbourhood that currently has poor access to the existing Embankment Road local centre. It is regrettable that the Desborough Road retail unit cannot be located closer to the corner of Desborough Road and Tothill Road, but as stated, the existing service compound cannot be relocated.

The application proposes that the central core of the site be landscaped, in the form of open grassland broken up by more formal landscaped areas with tree planting. The notion of providing a publicly accessible green space within the development is positive, particularly in a neighbourhood where there is an identified lack of this amenity.

The application also provides a pedestrian and cycle access to and from Desborough Road and this is welcomed, as is the provision of strong structural tree planting along this street. The cycle path provides a link to the cycle path approved as part of the Brentor Road housing development located a short distance to the east of the site, and goes some way to improving cycle links in the city. It is also positive that the potential for a future transport link through Friary Retail Park to Exeter Street (as illustrated in the Sutton Harbour Area Action Plan) has been safeguarded, and this area (at the northern end of the site) is not proposed to be developed as part of this application.

Concerning issues of scale and massing, the height of the proposal can be supported. The height of the development has been reduced (as requested by your officers) to that proposed within the previously refused application, to link with, and not exceed that of, the adjacent Victorian terraces to the north and south, and to safeguard key views towards the Grade II listed St. Jude's Church. It is considered that the scheme's massing has been articulated successfully to respond to the particular prominence of the site from Tothill Bridge and surrounding streets above.

With regards to issues of building design and appearance, the bold, symmetrically-stepped, ziggurat-type form makes for a very memorable architecture that can be appreciated from the elevated streets above. The roof has been effectively treated as a fifth elevation, and the use of green sedum, in addition to its various environmental benefits, will provide visual amenity for those viewing it from above. The remainder of the materials palette is of high quality and includes Plymouth limestone, cedar cladding and playful coloured glass spandrel panels.

In conclusion, it is considered that the proposed development provides a high quality and innovative contemporary development that in terms of scale and massing is sensitive to the existing surrounding development whilst providing a modern urban design solution to the development of the site. The general arrangement of buildings on the site is considered to be the correct approach and is a pragmatic response to the constraints of the site. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with Policy CS02 (Design) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

#### Residential Amenity

As already explained in this report, the site is unique in comparison to its context in that it is 'sunk' and at a significantly lower level than the areas that surround it. This ensures that the development proposed, which is up to 5 storeys in height, is not dominating to the existing development that is near to the site. When viewed from the surrounding roads it will appear 2 storeys at most and utilises a shallow pitch roof to ensure its impact is minimal.

The application proposes to locate the proposed development in one main built form that is positioned adjacent to the northern boundary of the site, with a much smaller building also proposed in the south west corner of the site. The properties that could be affected by this development proposal are therefore those that are located closest to the northern boundary of the site, namely the dwellings on Knighton Road, with some impact also possible upon the properties to the south of the site on Desborough Road.

Due to the safeguarded area on the northern boundary of the site for a future transport link, there will be a minimum of 35 meters distance between the proposed apartment block and the existing properties on Knighton Road. This is a sufficient distance to ensure that there will be no negative impact to the amenities of existing property occupiers on Knighton Road from the proposed development.

The small retail building with flat over is proposed to be located in the south west corner of the site and thus will have a more intimate relationship with the existing development on Desborough Road that it will be opposite. The separation distance between the existing dwellings and the new unit proposed will be 15 metres. Whilst this is far less than the separation distance between the existing development on Knighton Road and proposed development in the northern part of the site, it is typical of the existing separation distances between properties on either side of a road in the locality. It should also be noted that this building is considerably smaller than the main apartment building and therefore its impact will be minimal.

The main apartment building, whilst mostly located on the northern (Knighton Road) side of the site, will have a relationship with the properties on Desborough Road, particularly as the site narrows considerably from west to east. At the eastern end of the site, the separation distance between the new proposed development and existing terrace on Desborough Road will be 20 metres at the closest point. This is considered to be an acceptable separation

distance and due to the shape of the site most of the dwellings on Desborough Road that are opposite the site are over 30 metres from the proposed development.

It is considered that the positioning of the proposed apartment block ensures that there is no direct conflict between the proposed and existing development, and that problems of overlooking and loss of sunlight are not created. The relationships created are therefore considered acceptable and the application compliant with Policy CS15 and CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

#### Highways, Access and Parking Issues

The applicant has submitted a Transport Assessment in support of the proposal which outlines the impacts of the development on the local highway network. Although the number of units is 264 the applicant is proposing to provide a total of 58 parking spaces to serve the development. By reducing the amount of car parking on the site the number of vehicle trips to and from the site will be limited. The Transport Assessment concludes, and it is accepted, that the development impacts on the surrounding network and its junctions are negligible.

On site parking will be provided on an allocation basis and the applicant is proposing strict parking controls and on-site management. The applicant is proposing a 'no-car agreement' with residents and this can be included within a residential travel plan for the site, which can be controlled and monitored by the City Council. A condition for a Travel Plan is therefore attached. The no-car agreement and the reduced parking levels, albeit they are in accordance with the City Council Policy on parking provision for development in this area, will help control and reduce the car borne trips associated with the development.

The site lies within an area which is controlled by a resident parking permit scheme. The development will be excluded from obtaining permits or purchasing visitor tickets for use within the scheme. However, the current scheme is in operation for 1 hour a day and parts of the local network are not included within the scheme. To ensure that parking cannot over-spill from the development the applicant has agreed to fund a public consultation to establish any need to enhance or expand the permit scheme. Furthermore any alterations to the scheme will be funded by the developer upon conclusion of the consultation process. A section 106 agreement will be sought to this effect and details of the costs involved will be submitted in due course. The development will, as such, ensure that it makes a contribution towards meeting the parking demand of the site whilst at the same time ensuring that there would be no overspill into the surrounding area. This approach accords with Policy CS28 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Vehicular access to the site is proposed from the Junction of Exeter Street and through Friary Retail Park. The route into the site currently serves as the service route for the existing retail units and Network Rail access into the

railway siding, adjacent to the site. This function will remain. The developer is proposing to upgrade the road to an agreed standard to serve the residential development by way of constructing a new footway with some local widening at the rear corner of the existing retail unit. The road will terminate at a new turning head within the site. Due to the nature of the development, i.e. student accommodation, the access road will not be sought for adoption as highway by the Highway Authority.

In accordance with the Sutton Harbour AAP the developer has safeguarded some land for a potential future transport link from the site towards Exeter Street. Although Policy SH05 of the plan refers specifically to the adjoining retail park it is acknowledged that this site plays an integral part in securing the aspirations of the proposal. In order to bring forward some of those aspirations the developer is proposing a footpath/cyclepath through the site. The drawing shows a 2.4m wide footpath/cyclepath through the site with a further 1.3m grass create strip for access purposes to the railway. A shared footpath/cyclepath should be 3m wide. This can be secured and details agreed by way of condition.

The provision of the cycle route will encourage cycle use by residents and as such the developer is providing a commendable 278 cycle stores within the development. Each unit has a cycle locker outside its door so will be in a safe and secure location and will be self promoting in their use. Cyclists can use the access road and the join the existing facilities on Exeter Street.

There is currently only an uncontrolled crossing facility across the junction bellmouth off Exeter Street. The developer will be required to enter into a Section 278 agreement with the Highway Authority to design and implement localised crossing improvements, likely to consist of tactile paving and coloured surface treatments, at the junction.

The application also includes a small retail unit with a frontage to Desborough Road. All servicing arrangements to the unit will take place through the development site and the applicant is proposing to install a goods lift to cater for the level differences. The highway in front of the shop has an area of limited parking and return which would be available for customer use.

Finally the internal layout of the site for vehicles, cyclists and pedestrians is well structured with links to Public transport, local facilities and of course a desire route to the University and City centre. The site is considered to be accessible and is unlikely to generate any levels of traffic that would cause impacts to the local highway network. The arrival and departure of students at the start and end of term will be managed by the site management and co-ordinated within the travel plan.

#### Habitats and Biodiversity

The applicant has submitted a Phase 1 Survey and Bat and Reptile surveys, together with an Enhancement and Mitigation Plan, demonstrating a net biodiversity gain, in accordance with Policy CS19 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).



### Sustainable Resource Use

Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the period 2010 – 2016.

The application includes a Renewable Energy Statement and proposes photovoltaic panels to meet the 15% saving. These generate electricity from light and with their energy source being sunlight they do not require fuel to operate and produce no air pollution or hazardous waste. The panels require no grid connection and are used for the heating of water. They are indicated on the plans and are positioned on the section of south facing roof on the top of the proposed apartment block. The use of photovoltaic panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

### Letters of Representation

The letters of representation received are summarised above in the representations section of this report and issues raised are discussed in the main Analysis section of the report. One issue raised but not discussed above is the claim that student development will raise noise issues. However, it is considered that the site is well suited to student accommodation, it is close to the University and the City Centre and is well served by public transport, making it an ideal location. Any noise issues should not impact upon the surrounding residential development. The site is much lower than the areas (and residential streets) that surround it and a warden will be on site to ensure the site is managed and incidents of excessive noise (should these occur) are quickly and appropriately dealt with. The Council's public protection team have not objected to the application.

### **Section 106 Obligations**

The application generates the requirement for financial mitigation under the Plymouth Development Tariff. The total amount payable is £111, 926.00, which is broken down as follows:

#### Local Infrastructure:

1. Contribution of £1, 021 towards Schools.
2. Contribution of £11, 166 towards Libraries.
3. Contribution of £32, 541 towards Green Space/Natural Environment
4. Contribution of £163 towards Childrens Playspace.
5. Contribution of £59, 029 towards Playing Pitches.

#### Strategic Infrastructure:

1. Contribution of £508 towards Green Space.
2. Contribution of £12 towards European Marine Site.
3. Contribution of £324 towards Sports Facilities.

4. Contribution of £38 towards Public Realm.
5. Contribution of £1795 towards Transport.
6. Administration fee of £5329.

The application has been assessed against the Governments Community Infrastructure Levy (CIL) and it is considered that the financial obligations required by the Plymouth Development Tariff of £111, 926 meet the 3 CIL tests and that the obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

### **Equalities & Diversities issues**

No negative impact to any equality group is anticipated. Pedestrian and cycle permeability is being improved as a route through the site is being created and the financial contributions generated by the Plymouth Development Tariff will benefit the whole community.

### **Conclusions**

This application proposes to erect a 5 storey building on the northern part of the site containing 21 student cluster flats (a total of 250 bedrooms) with 14 one bed self contained flats on the top floor (all for occupation by students in full time education) and ancillary wardens office. A separate building is also proposed in the south west corner of the site alongside Desborough Road, containing a retail (A1) unit of 60 square meters floorspace with 2 bed flat above (not restricted to student use).

The site is not covered by any restrictive planning policy and its redevelopment is therefore considered acceptable in principle. The scale, design and appearance of the proposed development is acceptable, with the application proposing a high quality modern and innovative design solution to what is an unusual and irregular site. The proposed development would not impact significantly upon nearby properties residential amenities and would not harm the surrounding highway network, providing adequate levels of off street parking for a development of this type. The application is therefore recommended for approval, subject to conditions and the successful completion of a S106 agreement by the 31 August 2010, 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 **08/06/2010** and the submitted drawings, **00901.PL.09, 00901.PL.01, 00901.PL.03, 00901.PL.02, 00901.PL.06, 00901.PL.08, 00901.PL.04, 00901.PL.07, REDW-2890-111** and accompanying **Design and Access Statement, Renewable Energy Statement, Bat Survey Report, Reptile Survey Report, Enhancement and Mitigation Plan, Phase 1 Desk Study, Archaeological Assessment, Flood Risk Assessment and Transport Statement** , it is recommended to: **Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 31 August 2010**

## Conditions

### DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(1) The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

#### Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

### 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 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.

### SITE CHARACTERISATION

(3) 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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SUBMISSION OF REMEDIATION SCHEME

(4) 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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(5) 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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### REPORTING OF UNEXPECTED CONTAMINATION

(6) 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 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, 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 5.

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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### ON SITE RENEWABLE ENERGY PRODUCTION

(7) The development shall be constructed in accordance with the details contained within the applicants Renewable Energy Statement (and the approved plans that show Photovoltaic Panels on the southern roof slope of the main apartment building), showing that a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods, for the period 2010-2016. The hereby approved on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period up to 2016, in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

#### EXTERNAL MATERIALS

(8) 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.

#### DETAILS OF BOUNDARY TREATMENT

(9) 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. 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.

#### PROVISION OF DRAINAGE WORKS

(10) Development shall not begin until details of drainage works and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

#### Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### STREET DETAILS

(11) 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 unit 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

(12) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 11 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 (13)

(13) 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.

#### PEDESTRIAN/CYCLE ACCESS

(14) The building shall not be occupied until a means of access for pedestrians from Exter Street has been constructed in accordance with plans to be submitted and approved in writing by the Local Planning Authority to provide a level access to and from the site.

#### Reason:

To ensure that an appropriate and safe access is provided 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

(15) 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.

#### CAR PARKING RESTRICTION

(16) No part of the site shall at any time be used for the parking of vehicles other than that part specifically shown for that purpose on the approved plan.

Reason:

In the opinion of the Local Planning Authority the level of car parking provision should be limited in order to assist the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### CYCLE STORAGE

(17) The secure area for storing cycles 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:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building. in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### USE OF LOADING AREAS

(18) The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- a. damage to amenity; b. prejudice to public safety and convenience, and c. 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

(19) No use hereby permitted shall not commence until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

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.

#### STAFF TRAVEL PLAN

(20) The development hereby permitted shall not be occupied until a Residential Travel Plan (RTP) has been submitted to and approved in writing by the Local Planning Authority. The said RTP shall seek to encourage residents to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the RTP; details of the 'no car agreement' for the site and the name, position and contact telephone number



of the person responsible for its implementation. From the date of occupation the occupier shall operate the approved RTP.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### INFORMATIVE: CODE OF PRACTICE DURING CONSTRUCTION

(1) 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:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. 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, and construction traffic parking; and
- c. Hours of site operation, dust suppression measures, and noise limitation measures.

#### INFORMATIVE: PPZ

(2) The applicant should be made aware that the development will be excluded from obtaining parking permits or visitor tickets for use within the nearby permit scheme in operation and furthermore will not be included in any future amended scheme subject to the consultation exercise detailed within the Section 106 Agreement.

#### **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 and residential amenity and the surrounding highway network, 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 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, and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS28 - Local Transport Consideration  
CS32 - Designing out Crime

CS33 - Community Benefits/Planning Obligation  
CS34 - Planning Application Consideration  
CS22 - Pollution  
CS19 - Wildlife  
CS20 - Resource Use  
CS01 - Sustainable Linked Communities  
CS02 - Design  
CS15 - Housing Provision