

**ITEM: 17**

**Application Number:** 10/00670/OUT

**Applicant:** Mount Wise (Guernsey) Ltd

**Description of Application:** Renewal of outline permission ref: 06/01646/OUT for; Mixed use re-development of 450 dwellings, 9,150sqm of commercial floor space including extension and conversion of both Grade II listed Admiralty House to a hotel and Mount Wise to offices, café, gym, convenience store and associated roads, parking and landscaping to include retention of cricket pitch. Outline application with details of layout, scale and access.

**Type of Application:** Outline Application

**Site Address:** FORMER MOD MOUNT WISE PLYMOUTH

**Ward:** Devonport

**Valid Date of Application:** 28/04/2010

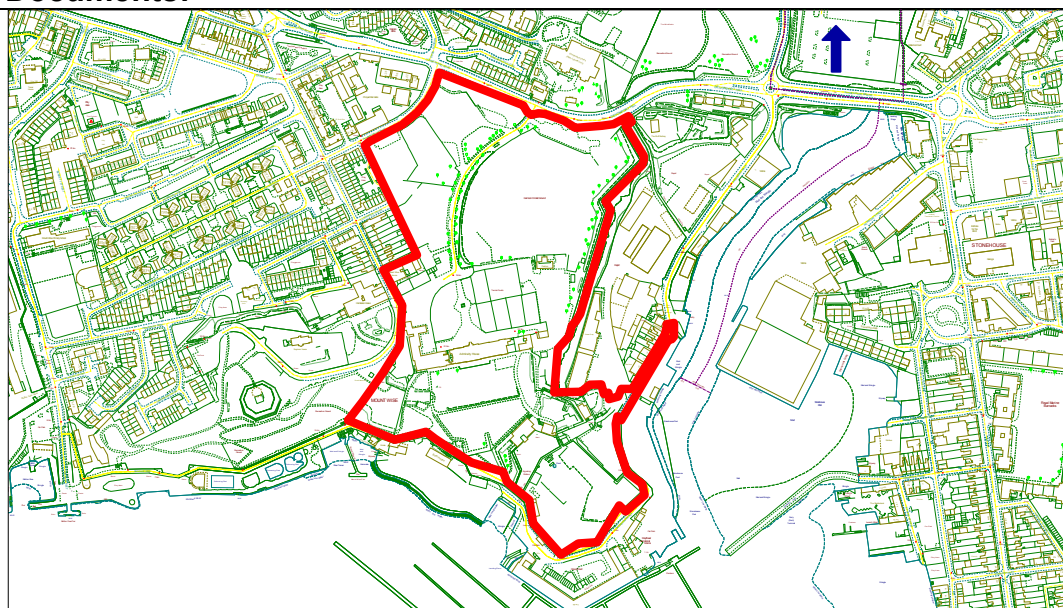
**8/13 Week Date:** **28/07/2010**

**Decision Category:** Major Application

**Case Officer :** Jeremy Guise

**Recommendation:** Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 15 October 2010

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## OFFICERS REPORT

This application seeks renewal of a previously approved outline planning permission for:-

*Mixed use redevelopment of 450 dwellings (139 houses, 231 flats; 20 sheltered units and 60 care units), 9,150 square metres of commercial floor space including extension and conversion of both the Grade II Listed Admiralty House to a hotel and Mount Wise to offices, café, gym, convenience store and associated roads, parking and landscaping to include retention of the cricket pitch. Outline application with details of layout, scale and access*

This application was granted conditional permission with signed section 106 legal agreement 3rd August 2007. The report that accompanied that application follows at the end of this (and its duplicate ref. 10/01271/OUT).

### Site Description

This is a 10.4 ha site located south west of Devonport Hill containing Admiralty House and Mount Wise House. Two historic buildings set in attractive landscaped grounds.

### Proposal Description

This application seeks renewal of outline permission ref: 06/01646/OUT for: Mixed use re-development of 450 dwellings, 9,150sqm of commercial floor space including extension and conversion of both Grade II listed Admiralty House to a hotel and Mount Wise to offices, café, gym, convenience store and associated roads, parking and landscaping to include retention of cricket pitch. Outline application with details of layout, scale and access.

It covers the whole of Mount Wise barracks site area which was divided into four parts (labelled A, B, C &D) in the original outline permission corresponding to:

Area 'A' – Admiral's Orchard (southern part accessed off Richmond Walk)

Area 'B' – Admiralty House and the tennis court area to the north

Area 'C' – Area to the east of Pembroke Street

Area 'B' – Area adjacent to Devonport Hill, including the cricket pitch  
Areas 'B' and 'C' (except extra care home) have been the subject of two 'alternate' scheme reserved matters approval.

In a letter dated 26<sup>th</sup> April 2010 submitted with the application the reasons for the renewal are explained:-

*'Since 2006 there have been a number of consents granted, none of which have been implemented. This has been due to the difficult market conditions in the property sector over the last couple of years and the lack of development finance from the funding markets'*

And

*'As you are aware there have been two Reserved Matters applications submitted under this Outline Consent, the first application (08/00442/REM) addressing the whole site with the second (09/00525/REM) focussing on*

*Areas B & C. Implementation of the second application is anticipated in the next few months, subject to discharging the pre-commencement planning conditions.*

*To retain the value of the remaining site beyond the area covered under the revised Reserved Matters, an extension is requested to the Time Limit for submission under the Outline Consent. This will allow for the discharge of the conditions under the revised Reserved Matters and for the potential submission of a revised Reserved Matters application for the areas not covered by the recent revision.'*

A duplicate application has been made for this development under ref 10/10/01271/OUT and a parallel set of duplicate listed building consent application has been submitted under ref 10/00671/LBC and ref 10/01272/LBC. These are considered elsewhere in this report.

### **Relevant Planning History**

- Ref:- 06/01646/OUT – Mixed use redevelopment of 450 dwellings (139 houses, 231 flats; 20 sheltered units and 60 care units), 9,150 square metres of commercial floor space including extension and conversion of both the Grade II Listed Admiralty House to a hotel and Mount Wise to offices, café, gym, convenience store and associated roads, parking and landscaping to include retention of the cricket pitch. Outline application with details of layout, scale and access GRANTED conditional outline planning permission subject to a 106 Legal Agreement 3<sup>rd</sup> August 2007.
- 08/00442/REM - Submission of reserved matters pursuant to outline permission ref. 06/01646/OUT, appearance and landscaping in relation to 450 dwellings, commercial floor space, café and convenience store together with associated car parking and landscaping. GRANTED Conditional Permission 26<sup>th</sup> November 2008.
- 09/00525/REM -Resubmission of reserved matters pursuant to outline submission (ref 06/01646/OUT and reserved matters 08/00442/REM). Appearance and landscaping in relation to Area B (part of) and Area C of the approved development: 210 dwellings, commercial floor space and associated car parking and landscaping. GRANTED with additional conditions 17<sup>th</sup> November 2009.
- 09/00613/FUL The demolition of modern additions and change of use, extension and alterations to Admiralty House to form a boutique (21 bed) hotel, restaurant and 19 apartments. GRANTED Conditional Permission. GRANTED Conditional Permission 8th December 2009.
- 09/00614/LBC The demolition of modern additions and extensions and alterations to Admiralty House. GRANTED Conditional Permission 8th December 2009.
- 09/00777/FUL - 20 four bed houses with associated landscaping and 148 parking spaces (8 suitable for use by disabled people). GRANTED conditional planning permission subject to a 106 Legal Agreement 20<sup>th</sup> April 2010.

## **Consultation Responses**

**Public Protection Service** has no objection to the above application, however, should permission be granted it recommends that the conditions are attached to the application relating to land quality. Note that since the previous application was determined a new PPS23 has come out with a stricter regime in relation to land quality.

**Devonport Regeneration Community Partnership (DRCP)** – support the application.

**Highway Authority** As this application is for the renewal of an unimplemented permission (where all issues remain as per the previous consent). The Highway Authority wishes to reiterate the comments and conditions attached to the highway consultation response made in respect of the previous application (10/00670/OUT).

**Highways Agency** – the Agency notes that this is a renewal of a previous planning consent (Ref 06/01646). It accepted the previous application subject to a TR110 detailing planning conditions for the proposal. Thus it is content to also accept this proposal subject to the same planning conditions.

**Housing Strategy & Renewal (H S& R Service)** Under the terms of the previous planning permission 06/01646 and 06 (S06 variation for REM application 09/00525), Housing Strategy has supported the allocation of a significant amount of grant support from the Homes and Communities Agency (HCA) to help deliver the 86 units of Affordable Housing associated with this development. The HS&R Service is disappointed to note that at this stage the applicant has been unable to expedite development matters to ensure that the previously approved development and affordable housing delivery has commenced. It The H S& R Service is hoped that urgent action can be taken to ensure that the previous planning permission is implemented and the HCA grant allocation thereby secured.

H S& R Service states that the HCA grant allocation is strictly time limited and in the light of budget constraints and failure to commence the development may jeopardize the HCA grant allocation. Further assessment of this matter will be announced by Central Govt, as part of the emergency budget report 22/06/10.

Never the less the HS&R Service feels that the Authority must deal with this application for a 'renewal' of planning application to extend the time period for development implementation, on its planning merits. It considers that no assumptions should be made about the continuation of Affordable Housing grant support. It wishes that all S106 provisions must ensure the same detail of S106 Affordable Housing delivery as previously negotiated with nil grant S106 clause safeguards.

In the face of concerns expressed by PCC Housing Strategy and representatives of the HCA the applicant has chosen to submit this application for planning renewal. The housing strategy position regarding the

renewal application is that in order to ensure that sufficient nil grant safeguards are in place the recently agreed S106 variation needs to revert to the originally agreed s106 terms. The variation agreement was intended to facilitate the HCA grant support under the terms of the previous consents. In the event that the applicant chooses to implement a delayed planning permission (and thereby lose the HCA grant allocation) it will be essential that we revert back to the original S106 terms (which detailed a with grant and a nil grant Affordable Housing delivery cascade).

Affordable housing:

HS&R Service considers that this application is to be considered in relation to policy CS15 in relation to both Affordable Housing provision and Lifetime Homes provision. Affordable housing need in the City is very high, hence delivery of Affordable Housing development is one of the top Corporate Improvement Targets for Plymouth City Council (CIP5, LAA - NI 155) measured by GOSW. This scheme could make a valuable contribution to the both the Affordable and Open Market housing needs of the City.

HS&R Service considers that the Affordable Housing proposals should remain exactly the same as the Affordable housing package agreed under the development proposal 06/01646 - in number 86, tenure, housing mix specified as detailed in clause 4.7.1 of the original S106 dated 3rd August 2007 with Affordable Housing locations agreed per the correspondence in September 2009. The only difference is likely to be the non availability of HCA grant support with a delayed planning permission and start date - and the S106 clauses need to be re-revised in order to take account of and specify the with HCA grant and nil HCA grant Affordable Housing delivery requirements.

Lifetime homes:

Policy CS15 - requires that 20% of all new dwellings for Plymouth shall be constructed to Lifetime Homes Standards.

HS&R Service state that Lifetime homes allows for the 'future proofing' of all new dwellings and should be considered/desirable in all cases. No threshold has been stated in the policy - however for practical reasons the policy threshold will be insisted upon at the threshold of 5 dwellings. N.B. 2011 is the target set by government for all 'public housing' to be Lifetimes homes standards and 2013 the 'aspiration' for all new housing to be Lifetime Homes standards.

In this case, to comply with policy CS15, HS&R Service consider that this scheme should (as a minimum) include 20% or 90 dwellings to Joseph Rowntree Lifetime Homes standards. Housing Strategy and Regeneration was therefore asked for this to be drawn to the attention of the applicant and request the submission of further details regarding Lifetime Homes provision. Unless evidence of exceptional reasons for non compliance are provided in this case, the Housing Strategy team will maintain an objection to non compliance with the Lifetime Homes CS15 (4) policy requirement.

The HS&R Service states that the applicant needs to demonstrate compliance with all 16 elements of the JR Lifetime homes definition on the basis of the submitted plans/ layout. If compliance is demonstrated then a Lifetime homes condition should be applied to ensure delivery and the applicant made aware that the Council undertakes a programme of Lifetime Homes monitoring on completion.

### **Representations**

Neighbours around the site have been notified of the application and site notices posted. This has resulted in 5 letters of representation (LORs), including one from the Devonport Planning Forum, all raising various degrees of concern or objection to the proposal. The grounds of objection can be summarised as follows;-

- Object to the building of flats at Richmond Walk. The road is already congested and too narrow. The road could be widened at the expense of Mayflower Marina. The owners secured removal of a listed shed on spurious grounds that it was necessary to secure a lifeboat station to improve safety at the marina that never built. A compulsory purchase should be used to make the road wider.
- Strongly object to the proposal on the following grounds;
- There has been and still is a major change in the financial economy of the country and of Plymouth City Council (PCC)
- There has been considerable housing development in Plymouth including some 32 or more apartments at or adjacent to Ocean Court, and the need for more housing either in the region of Richmond Walk or in Plymouth as a whole has not been demonstrate .
- The Developer is untrustworthy and unconcerned with the wishes of the PCC in that he has not fulfilled the undertaking given by his representative at the PCC Planning Committee 26<sup>th</sup> June 2008 not to back down from the development. He has left the site in a disgusting state with six or more large piles of ugly rubble, he has not maintained the grassed area boarding Richmond Walk, he has done nothing towards improving road access along Richmond Walk be demolished Vivid House in the full knowledge of the PCC proposal to include it in a conservation area
- In the light of the above material changes the application should be reconsidered.
  
- If notwithstanding the above PCC is minded to grant outline planning permission such approval must include:
  - 1) a requirement to phase the development so that no work on the development of the area boarding Richmond Walk proceeds until the Road and its access have been improved , regarded and resurfaced to top quality carriageway and fro pedestrian use consistent with heavy construction traffic, existing increased traffic and other planned developments (Millbay, Devonport, school off Kin's Road and Edgumbe Street etc). In this respect my presentation to Planning Committee on 26<sup>th</sup> June 2008 still stands mutatiis

- 2) a requirement that the development of the area boarding Richmond Walk should be shielded from Ocean Court by a tall evergreen hedge.
- No objection in principle, but serious concerns regarding the access both during construction and after completion of the development. During construction there is likely to be disruption from noise, dust, traffic restrictions along Richmond Walk, traffic congestion along Richmond Walk and a further deterioration of the already poor condition of the highway along Richmond Walk.

### **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.

The key issues in this case are:-

- Whether there has been any material change in circumstance since the previous approval August 2007.

It has been established through case law that applicants seeking a renewal of planning permission for a proposal, that has been allowed to expire without a start being made on implementation, can reasonably expect that a renewal of permission to be granted unless there has been a material change in circumstances during the intervening period. Material change being defined as either a physical change in the site and its locality or a change in policy.

### **Physical Changes in the area**

Mount Wise barracks occupies a fairly large site within an area that is undergoing regeneration and change and, of course, there have been some changes in the surrounding area during the intervening period. However, those changes have been less than was anticipated in the Devonport Area Action Plan as the same economic forces that have slowed implementation of this site have also affected other large development plans in the area, and public investment plans.

Development of the 'Vision' site (Redrow/Homes & Communities Agency [HCA]) has slowed, with the commercial development along the Chapel Street frontage postponed to an undefined future date. It is only recently that confidence in the continued residential development at the site has returned following the successful Kickstart 2 bid for additional housing funding from the HCA. Midas/Devon & Cornwall Housing Association's (DCHA) 'Evolve' development at Ker Street has continued throughout, but at a slower rate, and plans to extend redevelopment to the area north of Granby Green have been

shelved until at least 2012. Progress on the redevelopment of Millbay, in the neighbouring Millbay and Stonehouse AAP area, has also slowed.

In the public sphere, cuts in Council funding have delayed, for the foreseeable future, the development of a new primary school (to replace Mount Wise and Marlborough Street primaries) and cuts in Government funding have had similar impact upon the new secondary school proposed for the wider area. Lifelong Learning have been asked to provide specific comment and assurance that school capacity in the area remains sufficient to cope with the demand generated by the application proposal (this will be reported in an addendum report or verbally at Committee). But, it is noted that this site had a valid planning permission for an additional 450 new dwellings at the time when those decisions were taken, and that this proposal is not additional demand that was not previously identified.

A significant highway consequence of the slowing of residential development on the Mount Wise 'Vision' and Millbay sites has been that the anticipated increase in traffic using the Devonport Hill roundabout and A386 has yet to materialise. It was envisaged that highway contributions from these sites would be pooled and used to upgrade/ improve this junction. The relatively uniform pattern of the slowdown has meant that neither the additional demand or the section 106 legal agreement that triggers collection of the pooled contributions have occurred – although they remain relevant considerations.

Smaller changes have also occurred. An historic permission was reactivated at Ocean Court to provide additional residential units – adding to the road usage along Richmond Walk – although the Highway Authority were aware of this potential, and factored it into their calculations, at the time of the previous permission. The dental training school and GP surgery at Brickfields (Proposal DP12 of the Devonport AAP) has been constructed reinforcing the need to provide safe pedestrian crossing over Devonport Hill/Cumberland Street. The Cumberland Gardens improvement scheme has helped address this by providing a second surface level crossing, a zebra, to replace the underpass, but the need remains particularly to the east, further down Devonport Hill.

None of the physical changes that have occurred in the surrounding area since approval of the previous permission amount to a significant material change in circumstance sufficient to justify withholding a renewal of permission.

### **Changes in Policy**

There have been a number of important changes to the national and local policy framework since the previous outline planning permission was granted mainly in relation to calculation and delivery of community benefits and planning obligations, land quality and sustainable resource use.

### Community Benefits

This is one area of policy where there has been much activity, and announcements of change, both at national and local level over the past three



years since the previous outline decision, although what they amount to on the ground is often less radical.

At national level the previous government passed primary legislation to allow the introduction of the Community Infrastructure Levy (CIL). The government also reduced the number of tests that LPAs apply when seeking S106 from 5 to 3, but increased the weight given to them from Circular advice (Circular 05/2005). From 6<sup>th</sup> April a new section 106 legal agreement has to demonstrate:-

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Meanwhile, locally, Plymouth City Council adopted its' Planning Obligations and Affordable Housing Supplementary Planning Document (SPD) 1 December 2008. This provided further detail on the implementation of its' substantive Core Strategy Policy CS33 (Community Benefits / planning Obligations). The SPD attempted to standardise most contribution elements into a calculable tariff, to be collected and spent on a citywide basis. The document recognised that tariff provision would not cover all community benefit issues arising from a development proposal and included provision of a negotiated element – acknowledging that this would apply to large developments.

Unfortunately, the launch of the SPD coincided with the beginning of the recession and concerns about the viability of development proposals across the city. A Council initiative to identify individual development sites that could be brought forward with a market stimulus led to a Market Recovery measures that, following a review of the SPD in 2009, was rolled out as a Market Recovery Scheme. This provides for some exemptions and reductions in tariff, subject to viability and qualifying conditions.

Following consultation the SPD First Review of the SPD was approved by Cabinet on 2<sup>nd</sup> August 2010. The document has now been amended taking into account the representations received, the latest national policy guidance and legislation, and in response to the experience of using the document in the planning application process. The main amendments are:

- Inclusion of a distinction between 'Plymouth Development Tariff' contributions to strategic and local infrastructure, in response to new legislation that came into effect on 6 April 2010 (the Community Infrastructure Levy Regulations 2010).
- Clarification of the nature of the Tariff, to better demonstrate its consistency with the policy provisions of Circular 05/2005 and the Department of Communities and Local Government's New Policy Document for Planning Obligations, March 2010.
- Clarification of the role of the 'negotiated element' of Planning Obligations.
- Clarification of the nature of commuted maintenance payments that can be negotiated through Planning Obligations.

- Clarification and amendment of exemptions to the Plymouth Development Tariff to achieve improved consistency with the legal framework for the new Community Infrastructure Levy.
- Amendment to the approach taken in the SPD to student housing and Houses in Multiple Occupation.
- Clarification of the process of negotiating contributions to help mitigate the impact of commercial development on the marine environment.
- Amendments to the Market Recovery Scheme to reflect current market circumstances.
- Refreshing of the associated Evidence Base document.

The applicant is believed to be ready to start building on site this Autumn and simply wants to 'roll forwards' the original Section 106 provisions with the renewal. The Council could legitimately seek to negotiate a new section 106 agreement in the light of its SPD and the CIL changes. But this would take time, during which the development's funding arrangements are likely to unravel, particularly the £6m grant secured from the HCA to deliver the affordable housing in the first two phases. This in turn is likely to impact on viability and the value to the city of the overall 'package' of benefits it is able to secure.

Given that the original section 106 agreement represented a negotiated package with significant sums identified for off site infrastructure in areas where local deficiencies were identified (education and highway); on site improvements (leisure – cricket club and play space); non tangibles (public access, community use and even some derogation, on viability grounds, from Policy CS15 requirement with regard to percentage of affordable housing – it is likely that any new section 106 agreement would also be a negotiated package that takes into account viability.

It is not at all clear that any new package, negotiated using the SPD framework, qualified by the market recovery provisions, could improve upon what is on offer. Indeed, in the event that the grant for delivery of the affordable housing is lost, the likelihood is that the package is less attractive – possibly to a point where the City questions the overall value of granting a renewal based on such provisions.

In the circumstances, acceptance of previously negotiated package of community benefits is considered to be in best interests of the city and meets the three test set out in the new CIL Regulations.

#### Land Quality

Government advice on land quality and contamination has been revised and tightened by Planning Policy Statement 23 (PPS23 – planning & pollution). Additional conditions relating to investigation of land quality and mitigation in the event that pollution is discovered are now recommended.

#### Sustainable Resource use

The previous outline permission (ref. 06/01646/OUT) was submitted prior to the adoption of the Core Strategy in April 2007 although by the time the S106

was signed and it was actually determined, in August 2007, the Core Strategy was in place. Consequently the then policy requirement of CS20 (Sustainable Resource Use), to incorporate onsite renewable energy production equipment to off-set at least 10% of predicted carbon emissions for the period up to 2010, was not applied. The subsequent reserved matters approvals (ref 08/00442/REM and 09/00525/REM ) relating to most of area 'B', to the north of Admiralty House – except the extra care units and area 'C' – to the east of Pembroke Street has been designed without this provision. The design of the extra care unit and residential development in areas A, Admiral's Orchard, accessed off Richmond Walk, and area 'D', adjacent to Devonport Hill, which are mainly residential blocks of flats, have yet to be submitted as reserved matters for approval.

Since 2010, the Core strategy CS20 policy requirement for on-site renewable energy production equipment to off set carbon emissions has been raised to 15% for the period 2010 -2016. This reflects heightened Government and Council concern about climate change and its consequences. There is, on the face of it, a case for applying the 15% renewable standard across the whole of the development. In reality this could cause the applicant a great deal of difficulty as incorporation of 15% on site renewable energy equipment is likely to involve a major redesign of the approved reserved matters approval and jeopardise funding including the £6m HCA grant to deliver the affordable housing that it is envisaged delivering in the first phase.

As a compromise, it is proposed that the CS20 policy requirement for provision onsite renewable energy production equipment to off-set predicted carbon emissions be sought only for the those parts of the site that have not been subject to detailed design (i.e. not included in the revised reserved matters permission has been granted for them) and, to reflect ongoing viability in delivery, the lower requirement of at least 10% be applied. Additional conditions to require this are recommended.

### **Miscellaneous**

The objections and concerns raised in the representations do not introduce any new issues that were not considered in relation to the original outline planning permission ref 06/01646/OUT (see copy of report). This situation has not been changed by any of the material changes discussed above.

### **Equalities & Diversities issues**

Policy CS15(4) (Overall Housing Provision) requires that 20% of new dwellings will be built to 'Lifetime' Homes standard making them capable of adaptation for occupation by people with disabilities was not applied to the previous outline planning permission.

Like the sustainable resource use issue, it is considered problematic in relation to the design to seek Lifetime Homes in those areas which have previously been subject to reserved matters approval. (Although the applicant should note that this view does not encourage renegotiation of any Lifetime home, or similar provisions, it has negotiated with grant providers RSL's etc.). Given the identified need for Lifetime' homes to be provided in the city

conditions to require those parts of the site not previously the subject of reserved matters to provide 20% Lifetime Homes are recommended .

### **Section 106 Obligations**

As per

- Play areas and open space
  - Play space – Two areas leased to the Council for 999 years at £1.05 pa & two eminence sums £18,930 + £24,070 respectively
  - Public access obligation in areas D and C dawn until dusk (note that the rest of the site is permanently accessible)
- Cricket Club/ community building- 21 year lease + community use of pavilion building.
- Highway
  - Highway works contributions £120,500
  - On site highway works, implementation
  - Sustainable Transport contribution – bus passes £91,000
  - Residential and commercial travel plan
- Affordable Housing
  - 19.5% (76 units) on 60:40 split with no grant
  - 22% (86 units) with expected level of Housing Corporation Grant (£1.8m)
- Education Contribution -£288,540.52
- Phasing
- Administration Costs – Circa £28,000, based on 5%

Delegated authority to refuse if the agreement is not signed by 15<sup>th</sup> October 2010.

### **Conclusions**

Planning applications always have to be assessed and considered against policy in relation to the actual situation on the ground. Circumstances change, development occurs and policy regimes change, what may be acceptable at one time may not be at another – hence the time limits on the implementation of planning permissions.

In this particular case, it nevertheless remains in the overall best interests of the city to see a start made on developing this prime site. Members are therefore recommended to renew planning permission for this development, but with a slightly more onerous conditional regime, particularly in relation to areas A and D (for which reserved matters applications have not been received). This reflects policy changes that have occurred during the intervening period, notably those made in response to the threat of climate change and an aging, less agile, population.

### **Recommendation**

In respect of the application dated **28/04/2010** and the submitted drawings, **114(12)080RevA; 114(12)081RevA; 114(12)082RevA; 114(12)085RevA; 114(12)086RevA;114(12)090RevA;**

**114(12)092RevA; 114(12)093RevA & 114(12)096RevA**, it is recommended to: **Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 15 October 2010.**

## **Conditions**

### APPROVAL OF RESERVED MATTERS

(1) Approval of the details of design, landscaping and external appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

#### Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

### TIME LIMIT FOR SUBMISSION

(2) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

#### Reason:

To comply with Section 92 of the Town and Country Planning Act 1990.

### TIME LIMIT FOR COMMENCEMENT

(3) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

#### Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

### PHASING OF DEVELOPMENT

(4) No works shall commence on site until a phasing scheme has been submitted to and approved in writing by the Local Planning Authority. Henceforth the site shall not be developed except in accordance with the approved phasing scheme, unless first otherwise agreed in writing by the Local Planning Authority.

#### Reason:

To control the implementation of the development across the site ensuring that the reserved matters are not fragmented and that the lower value uses are implemented.

### SURFACE WATER DISPOSAL

(5) Development shall not begin until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is first occupied.

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features.

#### LANDSCAPE DESIGN PROPOSALS

(6) 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 Policy CS18 of the Core Strategy

#### LANDSCAPE WORKS IMPLEMENTATION

(7) 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 Policy CS34 of the Core Strategy.

#### DETAILS OF FLOODLIGHTING

(8) Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before installation. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity.

#### LANDSCAPE MANAGEMENT PLAN

(9) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape 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 Policy CS34 of the Core Strategy.

#### DETAILS OF TREE PLANTING

(10) The plans and particulars of the landscaping works submitted in accordance with condition 1 above shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy CS18 of the Core Strategy

#### TREE REPLACEMENT

(11) If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy CS34 of the Core Strategy are subsequently properly maintained, if necessary by replacement.

#### EXISTING TREE/HEDGEROWS TO BE RETAINED

(12) 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 implementation of the landscaping scheme

(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 BS3998:1989(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 the approved plans and particulars (or

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 Policy CS18 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

#### TREE PROTECTION DURING CONSTRUCTION

(13) The existing trees and/or hedgerows shown to be retained on the approved plans shall be properly protected with appropriate fencing during construction works. 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 (Trees in relation to construction - recommendations) 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 levels within those areas shall not be altered, nor shall an excavation be made, without the written consent of the local planning authority.

Reason:

To ensure that any trees or hedgerows to be retained are protected during construction work in accordance with Policy CS18 of the Core Strategy.

#### DETAILS OF REPLACEMENT TREES

(14) Details of the size, species and location of the replacement trees shall be agreed in writing with the LPA before commencing the work permitted, and the agreed replacement trees shall be planted within 3 months from the date the permitted work is carried out or, if this period does not fall within a planting season, by 31 January next.

Reason:

In the interests of visual amenity and to conserve the contribution of trees to the character of the area.

#### DETAILS OF ENCLOSURE AND SCREENING

(15) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of all means of enclosure and screening to be used. The works shall conform to the approved details and shall be completed before the development is first occupied.



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 Core Strategy

#### PROVISION OF CHILDRENS PLAY AREA

(16) Before the occupation of the 49th dwelling forming part of the development in area A hereby permitted, the developer shall provide and equip the southernmost children's play area on the site, the location, extent and details of which shall be shown on the plans and particulars relating to the landscaping of the site required by conditions 1 and 6 above. Before the occupation of the penultimate dwelling forming part of the development in areas B,C and D and hereby permitted, the developer shall provide and equip the northernmost children's play area on the site, the location, extent and details of which shall be shown on the plans and particulars relating to the landscaping of the site required by conditions 1 and 6 above.

Reason:

To ensure the proper provision of children's play facilities in accordance with Policy CS01 of the Core Strategy.

#### RETENTION OF PLAYING FIELDS

(17) Before the occupation of the 49th dwelling forming part of the development in area A hereby permitted, the developer shall provide and equip the southernmost children's play area on the site, the location, extent and details of which shall be shown on the plans and particulars relating to the landscaping of the site required by conditions 1 and 6 above. Before the occupation of the penultimate dwelling forming part of the development in areas B,C and D and hereby permitted, the developer shall provide and equip the northernmost children's play area on the site, the location, extent and details of which shall be shown on the plans and particulars relating to the landscaping of the site required by conditions 1 and 6 above.

Reason:

To ensure the proper provision of children's play facilities in accordance with Policy CS01 of the Core Strategy.

#### CYCLE PROVISION

(18) Parking space for a total of 226 bicycles shall be provided across the site, in secure, convenient locations for all dwellings. No dwelling shall be occupied until associated cycle parking spaces have been provided in accordance with the reserved matters details submitted, or alternative arrangement agreed in writing by the Local Planning Authority.

Reason:

In order to promote cycling as an alternative use to private cars and ensure that cycle storage provision is made available for residents when the dwellings are first occupied.

#### CYCLE PROVISION – COMMERCIAL

(19) The commercial development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 30 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars.

#### CYCLE STORAGE

(20) The secure area for storing cycles shown on the respective approved reserved matters plan(s) 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.

#### LOADING AND UNLOADING PROVISION

(21) Before the commercial development hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:-

- (i) damage to amenity;
- (ii) prejudice to public safety and convenience; and
- (iii) interference with the free flow of traffic on the highway.

#### TRAVEL PLAN

(22) Comprehensive Travel Plans will be developed for all elements of the development hereby permitted. The acceptability of these Travel Plans will need to be agreed in writing by the Local Planning Authority and Local Highway Authority, in consultation with the Secretary of State for Transport, in advance of occupation of the development. The Travel Plans will need to be prepared in line with prevailing policy and best practice and shall include as a minimum:

- the identification of targets for trip reduction and modal shift
- the methods to be employed to meet these targets
- the mechanisms for monitoring and review
- the mechanisms for reporting
- the penalties to be applied in the event that targets are not met
- the mechanisms for mitigation
- implementation of the travel plan to an agreed timescale or timetable and its operation thereafter.
- mechanisms to secure variations to the travel plan following monitoring and reviews

The Travel Plans for the residential element of the development shall also incorporate a scheme, to the satisfaction of the Local Planning Authority and the Secretary of State for Transport, by which residents shall have access to Bus Pass Vouchers, upon occupation of their dwelling. The strategy for the distribution of Bus Pass Vouchers, by which free bus passes may be claimed from the Council or nominated bus operating company (up to the value of the Bus Pass Contribution to be paid under the accompanying S106 Planning Obligation) shall be agreed in writing with the Local Planning Authority in consultation with the Secretary of State for Transport before occupation of any dwelling. The scheme shall be targeted such that provision of bus passes is prioritised towards commuters working north of the A38 or outside of Plymouth.

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.

#### NO DEMOLITION BEFORE CONTRACT

(23) Demolition shall not take place before a contract for carrying out the works of redevelopment on the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason:

In accordance with policy CS03 of the Core Strategy and paragraph 4.29 of PPG15: Planning and the Historic Environment, to ensure that demolition does not take place far in advance of redevelopment leaving an unsightly gap which would harm the character and appearance of this Conservation Area.

#### RECORDING OF FEATURES

(24) No development shall commence until the applicant, or their agent or successor in title, has secured the implementation of a programme of recording of features that will be destroyed or damaged in the course of the works to which this consent relates, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason:

In accordance with policy CS03 of the Core Strategy and paragraph 3.23 of PPG15: Planning and the Historic Environment, to ensure that a record of such features is made and kept available for inspection.

#### HIDDEN FEATURES

(25) If, during the course of the works, presently hidden features are revealed the owner shall immediately stop work and inform the Local Planning Authority, and shall not continue with the works until agreement has been reached as to the retention or recording of those features.

Reason:

In accordance with policy CS03 of the Core Strategy and paragraph 3.24 of PPG15: Planning and the Historic Environment, to ensure that a record of such features is made and kept available for inspection, and that any revealed features of importance may be retained if necessary.

#### PROTECTIVE FENCING

(26) No development shall take place until fencing has been erected, in a manner to be agreed with the Local Planning Authority, around archeologically sensitive parts of the site and no works shall take place within the area inside that fencing without the consent of the Local Planning Authority.

Reason:

In order to protect the any remains which is considered to be of archaeological interest, from damage or disturbance in the course of permitted operations on the site.

#### ACCESS FOR OBSERVATION/RECORDING

(27) The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him to observe the excavations and record items of interest and finds.

Reason:

In accordance with policy CS03 of the Core Strategy.

#### EXTERNAL MATERIALS

(28) 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. These details may be submitted and approved in phases in accordance with a relevant reserved matters application.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Core Strategy.

#### SURFACING MATERIALS

(29) No development shall take place until details of all surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

These details may be submitted and approved in phases in accordance with a relevant reserved matters application.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Core Strategy

## SOUND INSULATION

(30) Noise emitted from the commercial building should not be more than 5 dB above background when measured at the facade of the nearest residential building, following the methodology set out in BS4142

### Reason:

To protect the residential and general amenity of the area from any harmfully polluting noise and avoid conflict with Policy CS22 of the Core Strategy.

## USE OF MACHINERY TIME RESTRICTION

(31) No machinery shall be operated on the premises before 07.30 hours on weekdays and 08.00 hours on Saturdays nor after 18.30 hours on weekdays and 14.00 hours on Saturdays, nor at any time on Sundays or Bank/Public Holidays..

### Reason:

To protect the residential and general amenity of the area from harmfully polluting effects and to avoid conflict with Policy CS22 of the Core Strategy.

## CODE OF PRACTICE DURING CONSTRUCTION

(32) Practice shall be submitted to and approved by the Local Planning Authority which shall indicate measures to mitigate against adverse effects of noise, dust and traffic generation during the construction of the proposed development. The Code of Practice shall indicate: -

- a. the proposed hours of operation of construction activities;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, concrete production and dredging operations;
- c. sound attenuation measures to be incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

### Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with CS01 of the Core Strategy.

## RESTRICTIONS ON PERMITTED DEVELOPMENT

(33) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development falling within Classes A, B, C and E of Part 1 of Schedule 2 to that order shall be carried out unless, upon application, planning permission is granted for the development concerned.

### Reason:

In order to protect the environment of the high density residential estate.

#### ACCESS FOR DISABLED PEOPLE

(34) No development shall take place until a detailed scheme indicating the provision to be made for disabled people to gain access to the buildings and public footpaths have been submitted to and approved in writing by the Local Planning Authority. Such access provision shall be completed in accordance with the approved scheme before the development hereby permitted is first brought into use. These details may be submitted and approved in stages in accordance with the reserved matters applications.

#### Reason:

To meet the access needs of disabled people in accordance with Policy CS34 of the Core Strategy.

#### PARKING PROVISION FOR DISABLED PEOPLE

(35) The car parking area shall make provision for the parking of cars used by disabled persons in accordance with Table 7.1, Schedule 1 of Policy CS28 of the Core Strategy. The required spaces shall be laid out before the development hereby permitted is first brought into use and thereafter retained for their intended purpose. These details may be submitted and approved in stages in accordance with the reserved matters applications.

#### Reason:

To meet the access needs of disabled people in accordance with Policy CS28 of the Core Strategy.

#### STREET DETAILS

(36) Development shall not begin, in any of the four areas, 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 property 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 policy CS34 of the Core Strategy.

#### PEDESTRIAN/CYCLE ACCESS

(37) Buildings within any development area shall not be occupied until a means of access for the area have been constructed in accordance with the approved plans. In respect of area A, no more than 49 dwellings shall be constructed until the off site works in Richmond Walk have been undertaken.

#### Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity.

#### DETAILS OF NEW JUNCTION

(38) Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

#### Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity.

#### MINIMUM WIDTH FOOTWAY DETAILS

(39) Development shall not commence until drawings showing the provisions of footways to acceptable minimum widths within the development have been submitted to, and approved by, the local planning authority.

#### Reason:

To ensure safe pedestrian circulation space within the development

#### BUS PASS MANAGEMENT PLAN

(40) Development shall not commence until a management plan for the administering of the funding for bus passes (and the associated travel plan condition) has been provided and agreed. This will involve discussions with Plymouth City Council (Public Transport) and the bus operator.

#### Reason:

To ensure that public transport forms an integral part of the development.

#### LIGHTING SCHEME

(41) Before any phase of the development hereby approved commences details of an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented before the development is first occupied and henceforth permanently made available for occupiers and visitor to the site. This scheme may be submitted in accordance with the phasing in the reserved matters application(s).

#### Reason:

to ensure that adequate external lighting is provided for future occupiers and visitors to the development in accordance with policy CS32 of the Core Strategy and ensure that the lighting does not interfere with maritime navigation or strategic views

#### IMPLEMENTATION PUBLIC INFORMATION TERMINAL

(42) No part of the development hereby permitted shall be occupied until such time as Public Transport Information Terminal to the satisfaction of the Local Planning Authority has been erected on the development site and is fully operational.

Reason:

In the interest of the safe and efficient operation of the truck road network.

#### IMPLEMENTATION OF UPGRADES TO BUS STOPS

(43) No part of the development hereby permitted shall be occupied until such time as upgrades have been made to 2 number bus stops on routes directly serving the development hereby permitted. These upgrades shall include the provision of 'real time' information and bus boarders.

Reason:

In the interest of the transportation sustainability of the development, and the safe and efficient operation of the trunk road network

#### IMPLEMENTATION OF PEDESTRIAN CROSSING

(44) No part of the development hereby permitted shall be occupied until such time as a pedestrian crossing to the satisfaction of the Local Highway Authority, has been provided on Devonport Hill within the vicinity of the development.

Reason:

In the interest of road safety, transportation sustainability and the safe and efficient operation of the truck road network.

#### LAND QUALITY

(45) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 46 to 49 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 49 has been complied with in relation to that contamination.

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.

#### SITE CHARACTERISATION

(46) 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 desk study characterising the site and identifying potential risks from contamination
- ii) a survey of the extent, scale and nature of contamination;
- iii) 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;
- iv) 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

(47) 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.

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

(48) 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 UNEXPEXCTED CONTAMINATION

(49) 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 46, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 47, 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 48.

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.

#### ON SITE RENEWABLE ENERGY PRODUCTION EQUIPMENT

(50) Details of on-site renewable energy production equipment to off set at least 10% of predicted carbon emissions shall be submitted to and approved in writing in relation to further resaved matters applications (i.e. extra care home and areas 'A' and 'D').

Reason:

In order to help reduce the size of the city's ecological footprint, reduced the causes of climate change, and shift Plymouth towards a more resource efficient future in accordance with Policy CS20 of the Adopted Core strategy.

## IMPLEMENTATION ON SITE RENEWABLE ENERGY PRODUCTION EQUIPMENT

(51) The on-site renewable energy production equipment shall be operational before the buildings to which they relate are first occupied.

### Reason:

To secure implementation of the measures approved in condition 50 and ensure compliance with Policy CS20 of the Adopted Core Strategy.

## 'LIFETIME' HOMES

(52) A minimum of 20% of the dwellings in areas 'A' and 'D', the subject of further revised matters approvals, shall be built in accordance with 'Lifetime' homes standards.

### Reason

In order to ensure that adequate provision is made to allow 20% of these dwellings to be adapted for occupation by people with disabilities, and to demonstrate compliance with Policy CS15 of the adopted Core Strategy.

### **Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: Whether there has been any material change in circumstance since the previous approval August 2007. 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 (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, and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport  
PPG15 - Planning and the Historic Environment  
PPG17 - Sport and Recreation  
PPG24 - Planning and Noise  
PPG25 - Flood Risk  
PPS3 - Housing  
PPG4 - Industrial and Commercial Development  
PPS1 - Delivering Sustainable Development  
PPS23 - Planning & Pollution Control  
CS28 - Local Transport Consideration  
CS32 - Designing out Crime  
CS33 - Community Benefits/Planning Obligation  
CS34 - Planning Application Consideration  
CS22 - Pollution  
CS08 - Retail Development Considerations  
CS18 - Plymouth's Green Space  
CS19 - Wildlife

CS20 - Resource Use  
CS21 - Flood Risk  
CS03 - Historic Environment  
CS01 - Sustainable Linked Communities  
CS02 - Design  
CS15 - Housing Provision  
CS30 - Sport, Recreation and Children's Play Facilities