

ITEM: 7

Application Number: 10/00844/FUL

Applicant: Taylor Wimpey (UK) Ltd

Description of Application: Substitution of house types on plots 19-26 and 43-50 approved under reserved matters approvals 08/00474 and 09/00245, and the addition of two extra dwellings, increasing the number over the whole site from 156 to 158 dwellings

Type of Application: Reserved Matters

Site Address: AREA 1B CLITTAFFORD ROAD SOUTHWAY
PLYMOUTH

Ward: Southway

Valid Date of Application: 19/07/2010

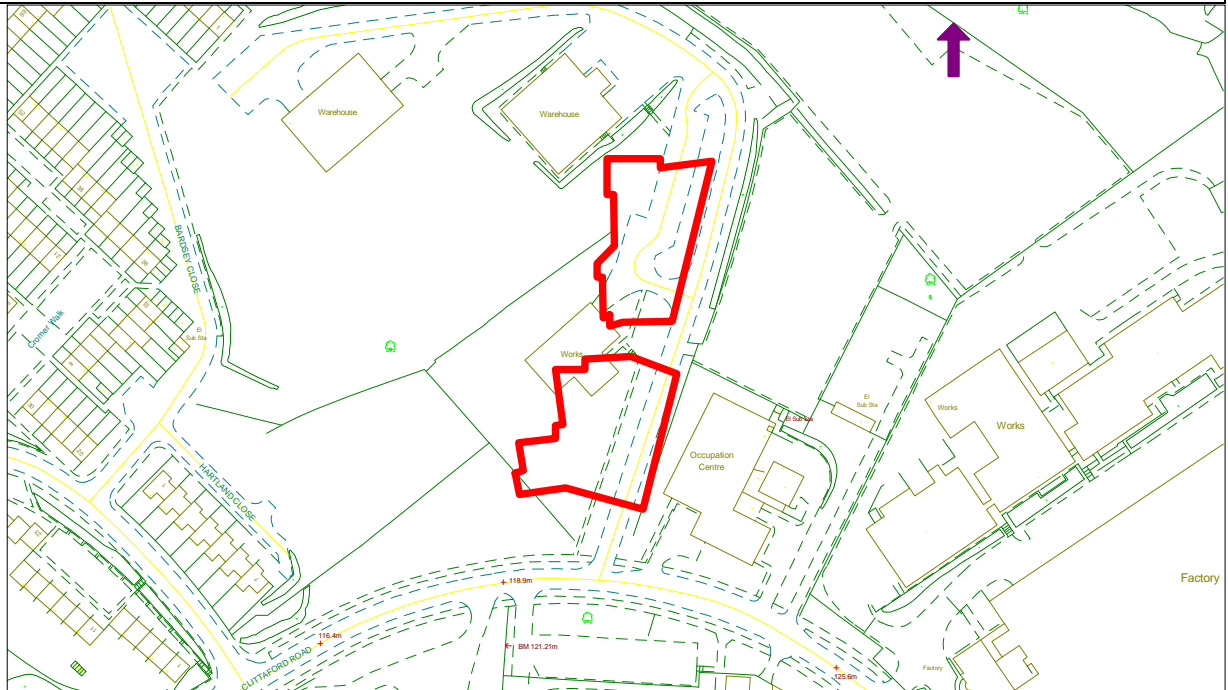
8/13 Week Date: 18/10/2010

Decision Category: Major Application

Case Officer : Robert McMillan

Recommendation: Grant conditionally subject to the completion of a Section 106 with delegated authority to refuse if not complete by 18/10/2010

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OFFICERS REPORT

Site Description

The site is part of the former Paper Converting land on the north side of Clittaford Road also known as Phase 1B. It is being developed for housing with several properties occupied in the new street Whitehaven Way. It is the eastern part of the site. There is woodland to the north with Atlantic Inertial Systems (formerly BAE Systems) and PLUSS employment sites to the east, the other part of the former Paper Converting site to the south and housing to the west. The development area as a whole is 3.38 hectares and has a frontage with Clittaford Road of 108 metres. The current application site has an area of 0.335 hectares.

Proposal Description

The proposal is for a substitution of house types and the addition of two dwellings increasing the total for the whole site from 156 to 158. The affected plots are 19 – 26 and 43 – 50. These change from three storeys to two storeys but remain as 13 three bedroom houses and 3 four bedroom properties. There is one additional three bedroom house and a garage building has a second floor added to create a two bedroom flat above. The palette of materials is the same as the existing development comprising, render, timber cladding and some natural stone under slate roofs.

Relevant Planning History

09/00245 – RESERVED MATTERS - Revisions to house types on plots 82 and 110; revisions to layout for plots 92, 93, 116, 117, 121-124 and 153-156 to provide 12 units (instead of 8) and other minor revisions – APPROVED

08/00474 – Reserved matters for the erection of 152 dwellings with associated car parking, access roads and public open space pursuant to outline permission 05/01085 - APPROVED.

05/01085 - Outline application for redevelopment of employment land involving demolition of the former Paper Converting buildings and part of the BAE building and the provision of: 490 dwellings, retention of manufacturing land, business units and live/work units, space for community uses, open spaces and a green 'corridor', a public transport terminal/information point, highways, means of accesses, cycle ways, footways and parking – GRANTED subject to a section 106 agreement.

Consultation Responses

Plymouth City Airport

No objection.

Highway Authority

No objection.

Public Protection Services

No comment.

Representations

None.

Analysis

The main issues with this application are: the principle of increasing the number of dwellings from 156 to 158; and the impact on the design of the estate and visual and residential amenities of the area.

The applicant has changed the house types because it has difficulty selling three storey houses and potential buyers in this part of the city prefer two storey houses. The houses face a landscaped route that links Clittaford Road to a proposed small playground at the northern part of the site. The approved design was for three terraces and three detached houses punctuated with two gaps for gardens. The applicant has closed the gaps by widening the house types and adding a property. There are now four pairs of semi-detached houses and two terraces of three. This creates a more formal street elevation.

The reduction in height does not harm the visual amenity of the area which is characterised by two storey houses.

The other dwelling has been created by adding a floor to the garage building to the rear of plot 157 fronting the main east west street. There is sufficient space between the plots so as not to cause harm to the residential amenity of plot 157 from undue over-dominance and as there are no side windows there is no loss of privacy.

The local highway authority is satisfied that the development and surrounding highways can cater for this slight increase in houses. Housing Services do not object as the applicant agrees to provide an additional affordable house at plot 19 to comply with policy CS15. There also need to be some Lifetime Homes to accord with this policy and officers are negotiating on detailed design matters to meet the required standards.

This is the second application to alter the original approved scheme for the site in 2008, 08/00474. The number of dwelling has increased incrementally from 152 to 158. Officers believe the applicant has now exhausted the scope to add any further properties to this site.

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

Section 106 Obligations

The full tariff is not applicable as 16 of the 18 dwellings are substitute house types that were subject to the section 106 agreement for the outline permission, 05/01085. The applicant agrees to the provision of an additional affordable house at plot 19 to comply with policy CS15.

To comply with the Community Infrastructure Levy (CIL) Regulations a section 106 obligation must comply with three tests.

Test One: The obligation is necessary to make the development acceptable in planning terms.

The provision of one affordable home is necessary in planning terms to comply with policy CS15 and PPS3 to maintain a supply of affordable housing to meet demand.

Test Two: The obligation is directly related to the development.

The obligation is directly related to the development because the proposal creates two additional dwellings on the Phase 1B site that requires one affordable home and this will be provided on the application site.

Test Three: The obligation is fairly and reasonably related in scale and kind to the development.

The provision of one affordable home is fairly and reasonably related to the scale and type of development and complies with policy CS15 and PPS3.

Equalities & Diversities issues

The houses will be available for all equality groups. The developer needs to provide four Lifetime Homes and officers were still negotiating on this aspect when the report was prepared to ensure these needs are met. There is no negative impact on any group.

Conclusions

The changes will not harm the overall design concept for the development or the visual or residential amenities of the area. The proposals are acceptable in accordance with policy complying with policies CS01, CS02, CS15, CS28 and CS34 and the Design and Development Guidelines SPDs.

Recommendation

In respect of the application dated **19/07/2010** and the submitted drawings, **0288-100/Replan, 0288-101/Replan, 0288-102/1/E, 0288-103/Replan, 0288-104/1/Replan, 0288-104/2/Replan, 0288-105/1/Replan, 0288-105/2/Replan, 0288-106/Replan, 0288-108/Replan, 0288-256-258/Replan, design and access statement, addendum transport statement and addendum flood risk assessment** , it is recommended to: **Grant conditionally subject to S106 Obligation**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

LANDSCAPE WORKS IMPLEMENTATION

(2) All hard and soft landscape works shall be carried out in accordance with the details approved in compliance with outline planning permission 05/01085 and reserved matters approval 08/00474. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

LANDSCAPE MANAGEMENT PLAN

(3)The landscape management plan approved pursuant to outline planning permission 05/01085 and reserved matters approval 08/00474 shall be carried out in accordance with the approved schedule.

Reason:

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

MAINTENANCE SCHEDULE

(4)The development shall be carried out in accordance with the maintenance schedule approved pursuant to outline planning permission 05/01085 and reserved matters approval 08/00474.

Reason:

To ensure that satisfactory landscaping works are carried out to comply with policies CS02 and CS34 of the approved City of Plymouth Core Strategy Development Plan Document 2007.

PROVISION OF PARKING AREA

(5) 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.

(6) The palette of materials for the external walls shall be as specified on the Materials Plan, drawing number 0288/108/REPLAN.

Reason:

For the avoidance of doubt and to ensure the materials are in keeping with the character and appearance of the area to comply with policies CS02 and CS34 of the approved City of Plymouth Core Strategy Development Plan Document 2007.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no windows or openings shall be created in the eastern flank wall of plot 158 facing plot 157 unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to protect the privacy of the adjoining property in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SURFACING MATERIALS

(8) The surfacing materials used in the development shall be the same as those approved carried out in accordance with the details approved pursuant to outline planning permission 05/01085 and reserved matters approval 08/00474.

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.

CODE OF PRACTICE

(9) Prior to the commencement of the development hereby approved, a detailed management plan for the demolition/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.

INFORMATIVE 1: CODE OF PRACTICE

The management plan required by condition 4 shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

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

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the principle of increasing the number of dwellings from 156 to 158 and the impact on the design of the estate and visual and residential amenities of the area, 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport
PPS3 - Housing
PPS1 - Delivering Sustainable Development
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS34 - Planning Application Consideration
CS03 - Historic Environment
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
SO1 - Delivering Plymouth's Strategic Role
SO2 - Delivering the City Vision
SO3 - Delivering Sustainable Linked Communities
SO10 - Delivering Adequate Housing Supply Targets
SO14 - Delivering Sustainable Transport Targets
SO15 - Delivering Community Well-being Targets
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document