

**ITEM: 04**

**Application Number:** 10/02026/FUL

**Applicant:** Barratt Homes

**Description of Application:** Redevelopment of site by erection of 148 new mixed tenure homes in the form of 117 houses, 23 flats and 8 coachhouses with associated parking and amenity areas (demolition of all existing buildings on site)

**Type of Application:** Full Application

**Site Address:** NORTH PROSPECT SCHEME, WOODHEY ROAD  
PLYMOUTH

**Ward:** Ham

**Valid Date of Application:** 30/11/2010

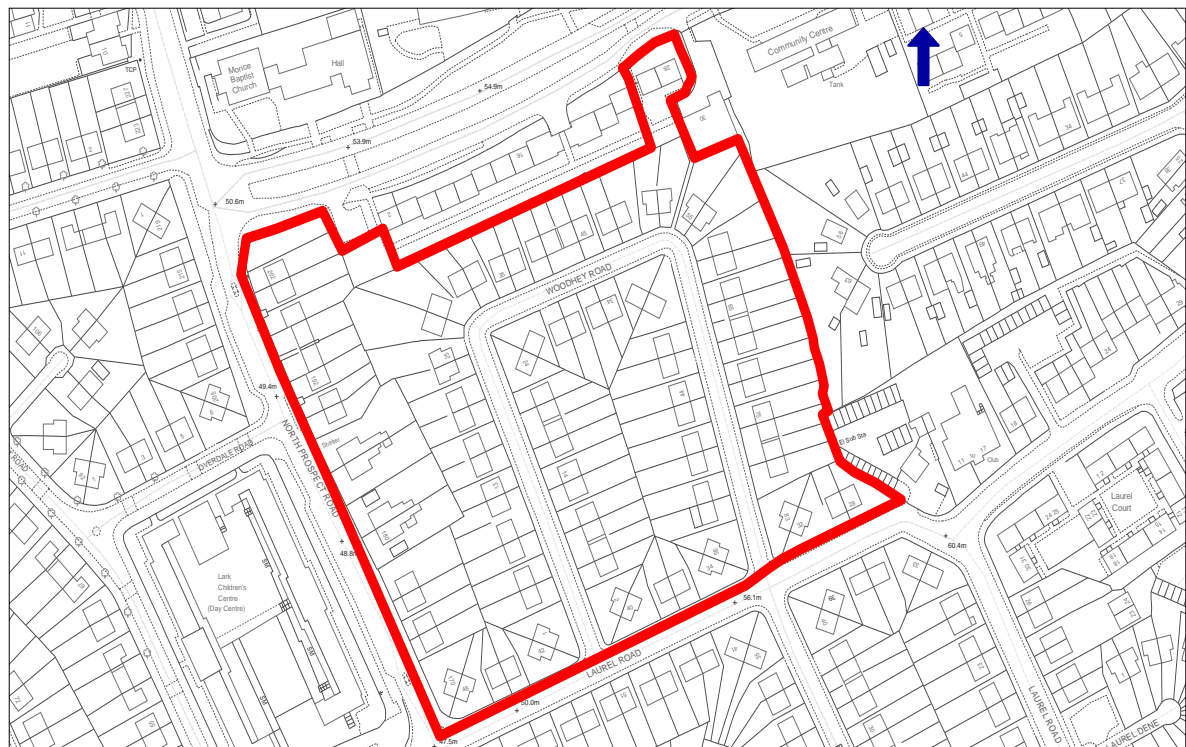
**8/13 Week Date:** **01/03/2011**

**Decision Category:** Major Application

**Case Officer :** Carly Francis

**Recommendation:** Grant conditionally subject to S106 Obligation, to be signed by 22<sup>nd</sup> Feb 2011

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## OFFICERS REPORT

### Site Description

The area of housing subject of this application is bounded by North Prospect Road to the west, Laurel Road to the south, with some bungalows and Ham Drive to the north and dwellings to the immediate east. There are 98 existing homes in total and these are mainly made up of semi-detached pairs that have hipped roofs and are mostly rendered with a grey or red tiled roof.

The bungalows to the north are around 10m from the northern boundary of the site. The two eastern most homes in this terrace fall within the proposed development site. Ham Drive lies immediately to the north of this and on the opposite side of Ham Drive there are a number of community buildings including the Mayflower Community School with associated playing fields and Morice Baptist church.

To the west of the site on the opposite side of North Prospect Road is the former North Prospect Primary School, which is currently utilised for police training and local community facilities.

### Proposal Description

This is part of the first phase of redevelopment in North Prospect. It is proposed to demolish all of the existing buildings on site and to redevelop the area with 148 new mixed tenure homes in the form of 117 houses, 23 flats and 8 coachhouses.

The unit types proposed are:

- 7- 1 bedroomed flats
- 24- 2 bedroomed flats
- 56- 2 bedroomed houses
- 45- 3 bedroomed houses
- 16- 4 bedroomed houses

A total of 225 parking spaces are proposed.

### Relevant Planning History

Nil.

### Consultation Responses

**Highway Authority-** the Transport Service comment that the applicant has produced this application following extensive pre-planning application discussion with relevant officers and therefore no objections are raised providing the following conditions are attached; conditions regarding street details, road alignment and drainage, completion of roads and footways, access for contractors and cycle provision, a code of practice during construction, highway improvements and a staff travel.

**Highway Agency-** The Highways Agency (HA) currently directs that planning permission not be granted for 6 months from 7 January 2011 to allow the applicant to provide additional information which will enable the HA to fully assess the impact of the proposed development on the A38. The Direction has been placed due to a lack of time to review information, specifically the Strategic Transport Assessment which forms a basis for the Phase 1 Transport Assessment findings. The developers consultants are currently liaising with the HA to remove this Holding Direction, the HA have indicated that they will be working to remove the Holding Direction prior to the application going to Planning Committee on 10 February 2011. An update shall be provided by way of an addendum.

**Public Protection Service-** no objections, however recommend that conditions regarding a code of construction and land quality assessment be attached to any grant of planning permission.

**Housing Enabling Team-** no objections.

**Environment Agency-** no objections but recommend that conditions relating to a land quality assessment and surface water management be attached to any grant of planning permission.

**Parks Services-** request a contribution towards upgrading local parks.

**Education Department-** request a contribution towards primary school provision.

The Education Department comment that this development lies within the South West locality, which has been identified as one of the localities with the fastest growing Primary school population. Three Primary schools surround the development, Pennycross Primary, Western Mill Primary and Mayflower Primary. Both Pennycross and Western Mill have around 6% surplus capacity and Mayflower is currently oversubscribed.

Pupil numbers in Pennycross and Western Mill are rising and the Education Department predict that they will be full within the next two years.

By next year schools within the area will be oversubscribed and any additional housing will generate more children that will need to be accommodated within these schools. Therefore the Education Department are seeking a Section 106 contribution of £96,579 for Primary Education This figure is requested jointly between phases 1A and B. Education are not requesting any contribution for Secondary Education at the present time.

**South West Water-** no comments received.

**Devon Fire and Rescue-** no comments received.

**Westcountry Ambulance Service-** no comments received.

**British Gas-** no comments received.

**Public Rights of Way Officer-** no comments received.

**Health and Safety Executive-** no objections.

**Police Architectural Liaison Officer-** no objections, having been fully consulted at the pre-application stage Devon and Cornwall Constabulary support this application.

### **Representations**

3 letters of representation (2 identical letters):

All objecting on the basis that:

- There would be a loss of privacy.
- There would be a reduction in daylight.
- The positioning and proximity of new properties is not in accordance with the residential guidelines.

### **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 considerations for this proposal include the needs of the local community and wider area, the impact on neighbouring properties, on the highway and trees, the design and amenity of the residential units proposed and the aim to create a sustainable linked community. The main policies relevant to this planning application are CS01, CS02, CS03, CS15, CS16, CS18, CS19, CS20, CS21, CS22, CS28, CS30, CS31, CS32, CS33 and CS34 of the adopted Core Strategy, the Planning Obligations and Affordable Housing SPD, and the North Prospect Sustainable Neighbourhoods Assessment. National Guidance that is of relevance includes PPG13, PPS1, PPS3, PPS 22 and PPS23.

This application did form the subject of pre-application discussions, which proved vital in shaping the layout, design and amenities of the scheme that has emerged.

### **Community Consultation**

A Statement of Community Involvement was submitted with this application.

In order to assist with the community consultation and communication, Barratt Homes appointed Remarkable Engagement, a specialist communications consultancy, to form part of its wider project team for the proposed redevelopment.

Prior to submitting their application for the redevelopment of the site, Barratt Homes and PCH undertook a programme of community consultation and engagement. This was in the form of Public Exhibitions. Two public exhibitions were held in order to give the local community the opportunity to view, consider and provide feedback on the proposals.

The first was a drop-in event as part of the annual 'World on the Green' Fair on Cookworthy Green, organised by the North Prospect Partnership. The second was an informal exhibition at the former North Prospect Primary School, to which local residents and their elected representatives were invited. For each of these events invitations were issued to some 1,500 properties on the North Prospect estate. The second exhibition was also advertised in the Herald newspaper and on the radio.

Full sets of the material on display at both exhibitions were available at the event for individuals to take away. Feedback forms were supplied to all attendees, which could either be filled in at the venue or posted back by using the supplied post-paid envelopes. These were then collated and the feedback analysed. Attendees were also able to benefit from a workshop with the project architect where specific house plans could be discussed and enhancements to the master plan suggested.

During the consultation, access to a telephone enquiry line was offered to those who wished to find out more about the proposals or register their comments via telephone. This telephone enquiry line was manned between the hours of 8.30am to 5.30pm, with a message facility out of hours.

From the date of the first event (4th September), a supporting website was available ([www.northprospect.com](http://www.northprospect.com)), enabling visitors to view the display materials from the public exhibitions, read the press releases and provide feedback directly online. The web address was listed on the press adverts and feedback forms to enable those who could not attend the exhibitions to view the proposals.

Comments made during and as a result of the public consultation events have been taken on board in forming the proposals. For example some of the points made included comments commending the layout of the scheme, expressing concerns regarding the layout and size of dwellings, comments on parking provision and on play areas for children.

Following the review of such feedback, Barratt Homes and PCH revised the master plan and incorporated suggestions made by residents relating to green spaces, trees and street layouts. The need for two-bedroom properties in North Prospect was also realised, given the current dominance of three-bedroom houses, as were the current parking demands. Therefore a mix of

housing types is proposed and parking provision has been carefully considered.

Barratt Homes and PCH are continuing to engage the local community following the submission of the application. A further exhibition was held at North Prospect Primary School on the 15<sup>th</sup> December 2010. A newsletter was published in December and further newsletter is planned to be published around the end of January/ beginning of February and the freephone information line is available for the duration of the application. The project website will also be updated as more information becomes available.

Thorough public consultation has taken place and is continuing to take place in accordance with Plymouth City Council's Statement of Community Involvement.

### **Setting the Context**

The current form of North Prospect can be traced back to the 1920s when the area, then known as the Swilly Estate after the local landowner, was developed as 'Homes for Heroes' – low cost, quality housing for retiring officers returning from the First World War. This is reflected by a predominance of 3 bedroom houses, mostly enjoying very large gardens intended to allow families on lower income to benefit from better but affordable diets by growing their own food. This concept is also reflected in the wider street network and site layout, which is based on principles developed by the Garden City Movement for many new suburbs and new towns across the UK. Although the dwelling fronts are quite far apart relative to modern standards, the actual streets are narrow, reflecting low car ownership at the time, but with wide pavements and many good quality mature trees, predominantly lime.

There are a number of reasons why North Prospect is in need of regeneration, primarily due the poor condition of many of the houses but other problems include the effect of significant topographical changes across the site, the lack of connections through the site, the poor quality of the existing open spaces and the significant crime problem in the area.

This application is the first phase in the redevelopment of North Prospect. Three phases of rebuilding and refurbishment are proposed with the majority of new build occurring in the Northern area of North Prospect. Central and southern areas will focus on refurbishment with pockets of new build where homes are beyond economic repair. Phase 2 and 3 will improve and enlarge Cookworthy Green and link this to the new community services within Phase 1.

### **Layout and Building Form**

One of the key aims of the layout is to improve the link from North Prospect Road and from what will be the hub, through to Ham Drive and the Mayflower Community School. This formed the basis for the new road pattern and this new route is complemented by a new pedestrian connection on the west side of North Prospect Road opposite Overdale Road. The sequence of spaces is

further expressed by inter connecting a sequence of incidental open spaces, which allow views through the site based around retained trees as landmarks and points of orientation.

The average density of housing in North Prospect at the moment is 31 dwellings per ha. The North Prospect Sustainable Neighbourhoods Assessment (SNA) identifies this as being too low and states that options for increasing density in North Prospect should be considered. The redevelopment would mean that Phase 1A would have a density of 48 dwellings per hectare, therefore still allowing homes to have a good standard of amenity while addressing the low density concerns raised in the North prospect SNA.

The frontage to North Prospect Road is the primary route through the area and has been designed to reinforce the importance of this route through the use of three storey buildings, and landmark buildings to bookend the elevations and define arrival in the area of regeneration. As well as reflecting the primacy of North Prospect Road locating three storey buildings here places them at the lowest and steepest point of the site and means the dwellings can accommodate the level through the use of split level units, minimising the impact on adjacent properties. This is particularly true of the flats which accommodate the level change while minimising the impact on rear gardens. The rest of the dwellings on the site are proposed to be two storey.

The Mews Street proposed is contrasting in comparison with a small and intimate street that is created in the manner of a traditional mews. It will be more informal in character to promote greater permeability for pedestrians and reduce vehicular priority. The greater emphasis on pedestrians will be reflected in the scale and detailing of the street - smaller paving units and varied frontages throughout the street.

The main street through the neighbourhood will have mature trees retained at its entry points to create distinct gateways. The street will be punctuated by tree planting and incidental green spaces to provide stopping off places. The generous proportions of the street will be reinforced by larger semi detached houses set back from the carriageway to clearly indicate the importance of the route.

Certain landmark blocks are identified within the overall layout such as the building that sits at the cross roads of North Prospect Road and Laurel/Cookworthy Road. This creates a gateway to the renewed frontage to North Prospect Road while the flats capture key views down Cookworthy Road. A similar landmark building is proposed at the junction with Overdale Road.

In addition these landmark buildings are supported by a series of vista stoppers and gateway features that reflect the topography, character area and views to create a further level of hierarchy within the built form. As an example of these gateway features the northern most house at the junction of Ham

Drive and North Prospect Road is enhanced through the addition of a bay window. This will signal arrival in the regeneration area while feathering the new development with the scale of the surrounding homes. Similar features are used at the gateways to Laurel Road and opposite Overdale Road and these forms echo the expressed balconies used on the principle landmark plots.

The Layout of the site was driven by the desire to encourage activity and generate a sense of community. Good pedestrian links have been identified as crucial to encouraging inclusive activity - creating a permeable network that encourages the connection of existing and newly proposed facilities. It is also important however that the topography of the site is respected and the layout designed to give a sense of place and a distinctive identity. The application has achieved this and it is deemed that the proposals accord with Policy CS02 and CS34.

### **Secured by Design**

The proposals have aimed to incorporate Secured by Design principles by achieving natural surveillance in active neighbourhoods through the design of the layout, the mix of dwelling types and connection to established movement networks. Routes through and around the proposed development are well defined, well lit, overlooked and busy. All routes provide clear delineation between the public realm and private realm thus protecting private spaces. Separate rear footpaths have been avoided.

In determining the final layout the Police Architectural Liaison Officer has been heavily involved. As is identified in the North Prospect Sustainable Neighbourhoods Assessment (SNA), North Prospect is ranked the worst area in Plymouth in terms of crime. Therefore it was essential that the physical make up of the area does all it can to address this. The architects have therefore worked hard with Police Architectural Liaison Officer in order to eradicate any areas which could perhaps become 'hot spots' for antisocial behaviour. An existing problem area that has been improved in the new layout is around the garage off Ham Drive. A decision was made to retain the existing garage/ workshop as this is a successful business within North Prospect that also provides training facilities for young people in the area; however there is currently an enclosed passageway that runs alongside it. It is proposed to demolish two adjacent bungalows to allow this area to be opened up and better overlooked. By increasing the width, providing good lighting and making sure the route is clear of planting which might obstruct view, this will not only help to reduce crime levels and the fear of crime, but a gateway will also be formed to Ham Drive connecting to the community school and the bus stop.

The overlooking of areas such as parking courts has also been maximised and a feeling of openness maintained throughout the proposed layout. It is therefore considered that the proposals accord with policies CS32 and CS34.



## **Design and Materials**

The homes are proposed to be predominantly rendered with a palette of five different colours to subtly reflect the different character areas and the hierarchy within the built form. The majority of homes feature a light off white render with the use of terracotta render to pick out key building forms.

The homes feature a shared language of fenestration that reflects modern lifestyles with a preference for large windows providing lots of natural light and views. A few simple window typologies are shared across the whole site to create a unified character. They are generally given a vertical emphasis which maximises views into open spaces.

Entrance canopies will be provided these will feature lighting as well as clear definition of the house number. They will be finished in a dark grey to contrast with the light rendered finish of the main buildings.

Balconies will be used to capture key views while expressing important corners within the overall development. In the majority of cases these are formed by steel work but at the key junction of North Prospect Road and Laurel Road the balconies are given a stone wall edging which will both enhance their privacy and reflect the landmark nature of this corner.

The roofs have been designed to optimise roof planes for solar collection. Where ever possible one of the roof slopes is orientated within 15 degrees of south, elsewhere they are provided with a west facing slope which provides the second highest performance. Where there are small extensions from the main built form, for example as single storey additions or around entrance porches these are given very low pitch roofs. This is both to minimise overshadowing and allow the primary nature of the overall building mass to be clearly expressed. The roof materials vary to reflect their context. The primary frontage to North Prospect Road features a roof finish of a slate grey colour to reflect its importance. The diagonal connection is highlighted by the use of a slightly lighter grey tile with the remainder of the homes featuring a neutral grey tile to compliment this. The use of the lighter grey tile will help to open up the diagonal route and maximise light in this part of the site, suggesting the pedestrian route along its length.

The entrance, the balcony walls and elements of the southern most block of flats are proposed to have a Plymouth limestone finish to reflect their landmark importance. The limestone will provide both protection for the homes in what will be a well trafficed area, as well as a striking addition to the architecture of the area.

To provide a robust entrance the areas around doorways are detailed with a brick surround. These areas of brick have however been significantly reduced in line with pre-application advice. The use of brick was discouraged as it is not characteristic of Plymouth and is not a material that weathers well in this climate.

The design of the dwellings and proposed materials are deemed appropriate and create a simple but elegant appearance. A condition shall be attached to ensure that samples of the materials are agreed but it can be concluded that the proposals accord with policy CS02.

### **Sustainability**

Policy CS20 requires the development to off-set a minimum of 15% of the carbon emissions for which the development is responsible by on-site renewable energy production methods. The applicant has demonstrated that this can be achieved through the use of photovoltaic panels and improved building fabric. The proposal is therefore deemed to comply with Policy CS20.

Whilst the Homes and Communities Agency require that all new affordable units are built to Sustainable Homes Code Level 3, the developers in this case are aspiring to achieve Code Level 4 on all affordable housing and Code Level 3 on the open market units, subject to development viability. This approach is strongly supported.

The aim is also to meet high water efficiency standards, and incorporate new technologies to recycle and conserve water resources. It is intended that the surface water will be discharged via one rainwater butt per property to the rear, and then into soakaways. A SUDS feature is also proposed on the site in the form of an attenuation feature to the north of the new access road. Details of this shall be secured by condition.

### **Building for Life**

A building for life assessment has also been conducted for this proposal. Building for Life promotes design excellence and celebrates best practice in the house building industry. Good quality housing design can improve social wellbeing and quality of life by reducing crime, improving public health, easing transport problems and increasing property values. It is therefore useful to know the outcome of such an assessment. The scheme scores well with 15 out of 20. This is considered silver standard and very close to gold standard which requires 16 points.

### **Landscaping Strategy**

There are approximately 71 individual trees on site. The existing mature trees make an important contribution to the character and ecology of the site. The masterplan has therefore been structured to retain as many trees of significance as possible.

The site is dominated by street Limes all of a similar age and condition. There is also a group of trees in the northwest corner consisting of a mature Beech and two Sycamore. The tree survey identifies the majority of the street Limes as category B1 and the Beech and Sycamore group also as B1 ie. Worthy of retention. Through pre-application discussions a block of flats originally proposed in the corner of the site fronting North Prospect Road and Ham

Drive have been removed to allow more space for these high amenity trees on a prominent road junction.

The Limes along Laurel Road are also shown to be retained; these are an important link/green avenue through the proposed hub/square down to Cookworthy Green. Residents have indicated that the existing lime trees cause problems due to honeydew drip and therefore, in nearly all instances, a soft landscape treatment has been provided beneath them.

Existing mature trees will also be retained on North Prospect Road providing maturity and a character that is consistent with surrounding neighbourhoods. Within the site, mature trees have been retained where possible to emphasise gateways and provide punctuation along key routes. However despite the clear intention to retain as many trees as possible the changing layout of the area has unfortunately meant that there are many trees that are just not possible to retain. Approximately 45 trees will have to be removed. Therefore extensive tree planting will take place to compensate for the loss of these trees; over 123 new trees are proposed. The species and age of these trees will be agreed with the LPA through a condition.

Although a large number of trees have to be removed, this is unavoidable due to the new layout of the estate. As many trees as possible have been retained and an extensive replanting programme devised to ensure that a quality environment is created. It is therefore deemed that the proposal accords with Policy CS19.

In terms of hard landscaping, natural and attractive materials will be used to contribute to the sense of place, local distinctiveness, and to compliment built form. Feature paving at junctions and thresholds will be used to create a sense of arrival, with a mixture of paving and macadam surface finishes proposed to the carriageway, with parking areas delineated in smaller paving units. Conditions shall be attached so that samples of materials can be approved before development commences. The proposals indicate that the surfacing materials have been carefully considered and therefore the proposal is deemed to accord with policy CS02.

### **Amenity of proposed/ existing dwellings**

Concern was expressed at pre-application stage regarding the size of the units proposed. As a consequence of this the number of units has been reduced so that the size of the dwellings and their garden spaces could be increased in size. The unit types vary from that proposed at pre-application stage to allow a more balanced range of housing in line with guidance given in the Development Guidelines SPD. The unit sizes differ with some exceeding the guidance given in the SPD and others falling short. Most that fall short are by a minimal amount, Type A housing has the smallest floor area at 57m<sup>2</sup> but there are now very few of these units proposed. Most outside amenity areas also now exceed the SPD guidance; only 18 out of the 148 properties proposed fall slightly short of this guidance but on balance a good range of accommodation is proposed with sufficient amenity space.

All dwellings would have adequate facilities and there would be sufficient natural lighting to all habitable rooms. The Waste and Street Services Department were also involved at pre-application stage to ensure that all dwellings have suitable refuse storage areas. Details of these shall, however, be secured by way of condition.

The layout and design of dwellings has been carefully considered and several changes made as a consequence of pre-application discussions to ensure that no dwelling is overlooked. The eastern edge in particular has been designed to be low scale and sensitive to its relationship with existing adjacent two storey homes. Guidance in the Development Guidelines SPD has again been referred to. For example the 12m separation distance for back to gable housing. This guideline is met throughout the estate and in the few instances where it is not, the distance is only marginally short of this figure and these dwellings have been designed so that their fenestration is located on a different elevation, with suitable boundary treatment proposed.

Careful attention has also been paid to the relationship between the housing proposed next to flats to ensure that no privacy concerns are created. Frosted glazing has been proposed on facing facades together with roof lights on the rear elevation of flat block 125-130. These replace windows proposed for the kitchen and bathroom to the second floor flat (plot 130).

Flats are all designed to have their own private amenity space in the form of either balconies or patio gardens. Balconies have been located so that they face onto the public realm rather than towards private property thus avoiding issues of overlooking. Some screening is however proposed on the land mark flats (Plot 104-110) to ensure privacy of the adjacent properties (Plot 111 and 112) is maintained while light and ventilation are maximised to the flats.

The amenity of the dwellings is considered to accord with Policy CS34 and the Development Guidelines SPD.

### **Housing Tenure**

The area surrounding the development site on three sides is comprised mainly of larger social rented houses dating from the 1920s, with a proportion of properties bought under the Right to Buy initiative. Within the development site there are currently 98 units which are due to be demolished, 65 of which were social rented and 33 owned privately at the start of the redevelopment process. Similar proportions of ownership exist in the surrounding area, though the percentage of private ownership increases markedly towards the south and east of the North Prospect neighbourhood. The North Prospect SNA highlights that a key aim should be to improve the balance between public and private housing in the area and to try and create a broader mix of tenures and types of housing.

The development on this site proposes:

Social Rent - 53 units (36%)

Intermediate housing - 28 units (19%)

Open Market housing- 67 units (45%)

Detailed discussions have taken place with the developers to agree the numbers, type and distribution of the new social rented, intermediate and open market units. Clusters of affordable units are limited to no more than 12 dwellings in line with planning policy guidance, across the majority of the site. An exception to this has been allowed along the North Prospect Road frontage following careful discussion with the Homes and Communities Agency. In this case, it is accepted in the interests of prioritising the commencement of this key development as well as maximising units available to offer decent opportunities for later phases.

Plymouth Community Homes (PCH) have indicated that 13 of the new housing units (9% of the total) will be a form of intermediate low cost home ownership. Details of the precise model being employed are yet to be clarified and it is therefore agreed that the final tenure mix for these units will be agreed prior to completion. This arrangement will be captured in the section 106 agreement, however, Housing Strategy are happy to support the current tenure split as shown.

The new development also aims to provide a more diverse housing offer than currently exists in North Prospect, by building 1 and 2 bed roomed flats as well as 2, 3 and 4 bed roomed houses. This should assist in meeting the needs of a wider range of household types, helping to retain and attract residents to the area, and thereby improving the sustainability of the development as a result. The Housing Strategy Team is also supportive of the developer's efforts to develop affordable housing which is indistinguishable from other tenures on the site, thereby ensuring compliance with planning policy CS15.

Discussions about the distribution of house types have also taken place and thought has been given to ensuring that larger family units are not overly concentrated in one part of the site. The distribution proposed by the applicant is now supported.

The sustainability of the area will also be enhanced by efforts to encourage an increase in the proportion of home ownership in this first phase of development, thereby achieving a better balance between private and affordable tenures in housing. For example the proposed development of 67 open market residential properties (45% of this phase of development) will provide a welcome stimulus to achieving a rebalancing of the housing tenure in this part of the City and is fully supported.

The aspiration to make a longer term shift in tenure towards private ownership has been captured in the North Prospect Spatial Strategy document submitted as background evidence with the planning application. The document states the aim to reduce the proportion of affordable housing from its current level of 65% to 50% over the lifetime of the whole regeneration project, which is in line with proposals for other parts of the city undergoing regeneration, such as Devonport.

Overall the housing tenure mix and proposed distribution are supported and deemed to comply with policy CS15.

### **Highway Considerations**

A Strategic Transport Assessment (TA) has been produced for the full North Prospect regeneration area and has been submitted as background information within this application. It sets out a strategy for the wider proposals of the area so that any implications to the highway network can be established. A separate TA has been produced to support this application which draws down relevant information and strategic views and objectives from the strategic TA.

It is proposed that the majority of the site will be accessed via a new estate road from Laurel Road, part of which will involve upgrading a section of Woodhey Road. Most of Woodhey Road will be stopped up to extinguish the highway rights and thus enable the development to take place. The upgraded section will be tied into a newly formed estate road. The proposed estate road has been designed to encourage low vehicle speeds, good pedestrian permeation and connectivity to the nearby facilities, such as public transport and the local school on Ham Drive. The estate roads will reflect on principles of home zones, shared surface and standard street forms. Street detail conditions will be attached to finalise the surfacing and construction details, however the layout as shown has been discussed in detail during the pre-app discussions and is supported by the Highway Authority. It will, upon completion of a Legal highway agreement, be offered to the Highway Authority for adoption as Highway.

The proposed footpath link at the North East corner of the site will provide a desire line to the School on Ham Drive and the existing Zebra crossing. The western link provides a direct level route from the site to the City bound bus stop on North Prospect Road. As above, vehicular traffic will access the site from Laurel Road by utilising the existing eastern junction of Woodhey Road and a newly formed junction to replace the western junction.

The traffic from the development has been distributed onto the network via Laurel Road and onto North Prospect Road. Within the TA the trips have been analysed to establish the impacts on the highway. It concludes that the development will generate an additional 19 trips during the AM peak hour and 28 during the PM peak hour. These trips are considered to be new and above the levels already generated by the existing properties in the area. As such the actual development trips will be more than these. However, the distribution analysis within the TA reflects the current surveyed trends. At the junction of North Prospect Road, 53% of phase 1A development trips turn into Ham Drive. It is considered that the majority of these trips will continue up to the junction of Outland Road. The Strategic TA has confirmed that the development will impact on this junction during the peak hours. Although the increase in traffic at this junction is low it is known that the junction does operate over capacity during peak times and as such there is no capacity to allow for any such increase. The Transport Consultant was advised of this at the time and it was agreed that junction modelling was not required, due to

the time and cost of such an exercise, to reach a pre-determined conclusion. However, it was agreed that a developer contribution would be required to help mitigate against the increased demand.

To this end phase 1 will be required to contribute £50k which will enable signal upgrades on Outland Road. This will increase efficiency of the network and free up capacity, thus mitigating against the increased demand from the development. This figure is for both this application (Phase 1A) and the application for Phase 1B. It is therefore accepted that the applicant may wish to stagger costs i.e. (£30k for this application and the remaining £20k linked to Phase 1B).

All development traffic will enter North Prospect Road; this route is a busy residential distributor road and is a bus route. The road is currently restricted to a 20mph speed limit between Ham Drive and Cookworthy Road. As part of the overall Phase 1 scheme it is proposed that phase 1B will provide a community hub amongst further residential units. In order to facilitate this it will be proposed, under the forthcoming application, to stop-up the section of Cookworthy Road between Foliot Road and North Prospect Road. This has not been commented on in detail as this is part of a separate application however it is important within Phase 1A, to acknowledge that the proposed hub will be a community facility and should generate high levels of use from the local area. North Prospect Road currently acts a divide between the residential areas on either side and it is therefore important to improve pedestrian connectivity across this road. The applicant has indicated some indicative highway improvements to the road, which incorporates removing of the mini roundabout as a result of the stopping up of Cookworthy Road (in part). This will change the junction from a 4-arm roundabout to a simple priority junction with Laurel Road. These alterations will improve capacity of the junction, albeit capacity was not a real concern. The roundabout acts as a speed reducing feature to enforce the 20mph zone. Its removal is acceptable but it must be replaced with new features within the highway to retain the speed limit.

The public realm of North Prospect Road will be enhanced with on-street parking, improved pedestrian crossings and bus stop upgrades (shelters with passenger information systems and bus boarder kerbs to be agreed at each existing stop), where required. The over-riding aim is to reduce street clutter (such as railings and signs) on the network to break down any barriers across the road. Any such works will be subject to a Section 278 agreement, Highways Act1980, and the exact details will be subject to a negative condition. Any design requires full road safety auditing and the scheme, in part (to allow phase 1B to contribute) should be completed to an agreed level prior to first occupation within phase 1A.

With the future stopping up of Cookworthy Road (part) the 20mph zone limit is moved further along North Prospect Road to form a gateway feature nearer Lark Hill. At the northern end of the scheme, at the junction of Ham Drive, the 20mph should be moved to the northern side of Floyd Close, again to form a

gateway feature. As above details can be agreed in due course following a grampian condition.

The trip distribution information submitted with the application denotes that the development will have an impact on the roundabout at the junction of Ham Drive. The TA has highlighted that there will be capacity issues at this junction. Rather than a full junction re-design it is suggested that a pedestrian crossing be placed at the Western most end of Ham Drive, as close to the give-way lines as possible. This will not only provide a valuable desire line crossing along North Prospect Road but when in use it will free up some of the capacity on the southern arm of North Prospect Road by forming a break in traffic from Ham Drive, thus enabling the queue to reduce. This feature can also act as a gateway to the amended 20mph zone. Details of this shall again be secured by condition.

On the site itself the developer is proposing to provide a mix of on and off-plot car parking, with garages and some visitor parking. The use of parking courts was discouraged during pre-applications discussions and the number reduced from the layout originally shown. It was not however possible to avoid them completely and still achieve an appropriate level of car parking. No private surface water or loose material is permitted to flow or be deposited onto any future adopted highway, these parking courts must therefore be self draining and hard surfaced to an agreed standard.

The level of parking proposed has been based on strategies identified within the strategic TA. Existing car ownership levels in the area are low at circa 0.7 cars per household. The intention of the development is to change the demographics of this part of the City and as such it is fair to assume that car ownership levels will increase. Therefore the developer is providing a total of 1.52 spaces (on average) per dwelling for phase 1A. This provision complies with Plymouth City Council's maximum parking standards and furthermore is justified within the TA. The design of the estate road layout reduces the ability for additional on street car parking so the developer is also proposing a strategic travel plan to encourage non-car based travel and reduced car ownership. The content of the travel plan will be ongoing and will be a working document. The developer will need to appoint a travel plan co-ordinator for this phase which in due course will liaise with a central co-ordinator for the full regeneration scheme. Signing up to an area wide travel plan will help reduce costs for each phase of the overall project. Consolidating efforts in this way will allow considerable leverage with public transport operators and promote car sharing. Further phases will be required to follow the strategic travel plan once planning applications are submitted. In the meantime however, Phase 1A should make a concentrated effort to start travel plan promotion.

The proposals meet the aims of the North Prospect SNA which suggests improving legibility and prioritising access for pedestrians and cyclists to encourage sustainable transport. This has been achieved and the proposals are deemed acceptable as long as the applicant also contributes financially towards signal improvements on Outland Road to mitigate against associated traffic impacts from the development. The improvements to North Prospect



Road must be agreed in accordance with Road Safety Audits to provide a 20mph zone scheme with enhanced pedestrian facilities towards local destinations, both existing and future provisions, whilst maintaining the function of this important bus route and distributor road. With these conditions attached the proposals are considered to accord with Policy CS28.

### **Archaeological/ Heritage considerations**

This application is unlikely to have any significant archaeological implications however it does have a wider historic environment interest particularly relating to the construction of the early public ('council') housing estate, therefore an appropriate level of recording should be provided. A condition shall therefore be attached to secure this in accordance with Policy CS03.

### **Ecology and Biodiversity**

The applicant has submitted an Extended Phase 1 Habitat Survey, along with surveys for bats, reptiles and nesting birds. The habitats identified on site include amenity and species poor semi-improved grassland, introduced shrub, dense scrub and scattered trees. The longer grassland on site is suitable for reptiles and the houses and a number of trees have features which are suitable for roosting bats and nesting birds. An Ecological Mitigation and Enhancement Strategy was also submitted with the application. Mitigation and enhancement measures proposed in this strategy include employing specific working methods so that reptiles can be safely relocated; the installation of bat and bird boxes and employing certain working methods in clearing the site and rebuilding. These mitigation and enhancement measures are supported however part of this strategy includes the need to relocate reptiles to Ham Woods (PCC land). As a consequence a contribution is sought to manage Ham Woods, a sum of £15,000 (£3,000 over 5 years) is required to do this. This figure is a joint sum for Phase 1a and Phase 1b and therefore shall be tied into these applications through the S106 agreement. The applicant has demonstrated biodiversity net gain in the Mitigation and Enhancement Strategy and providing management proposals are out in place to mitigate the impact on Ham Woods, the proposal is deemed to accord with Policy CS19.

### **Letters of Representation**

The letters of representation received refer to overlooking concerns from the new units proposed to 56, 61 and 63 Dovedale Road. Guidance produced by London Borough of Newham has been referred to in the letters of representation. The equivalent guidance against which developments in Plymouth should be assessed is the 'Development Guidelines' SPD. When assessed against the guidelines in this SPD the proposals raise no concerns. There would not be a harmful impact to these properties as suitable boundary treatment would be constructed to prevent overlooking at ground floor level and the only windows facing these dwellings at first floor level would be small bathroom and landing windows, these would not be positioned to cause direct overlooking and would be over 15m away from No's 56, 61 and 63 Dovesdale Road. There would be no loss of privacy to these dwellings, nor would they experience a significant loss of light as they are positioned a sufficient

distance from these dwellings. The development would therefore comply with guidance given in the Development Guidelines SPD.

### **Section 106 Obligations**

A planning obligation is required to mitigate the impacts of the development. Impacts will arise in the following areas:-

*Primary schools.* The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is likely to be a deficiency of school places in the locality from 2012 given projected population growth. The estimated cost of mitigating this impact is £55,738.

*Libraries.* Library Services advise that development in this area will generate a pressure on existing library facilities which are already in need of additional capital investment as a result of the cumulative impact of population growth. The estimated cost of mitigating this impact is £6,204. This impact is more than addressed through the community hub.

*Health.* The Community Hub will provide 100sq.m. of space dedicated to public health nursing and Healthy Futures at a cost of over £100,000. There is no significant shortfall in capacity in this area and therefore no tariff is sought.

*Playing Pitches.* The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £33,185.

*Local green space.* By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing local green space, most specifically an additional pressure on its management. The estimated cost of mitigating this impact is £18,294.

*Local play space.* By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing play facilities, most specifically an additional pressure on its management. The estimated cost of mitigating this impact is £11,461.

*Strategic green space.* By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council's has a obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £40,791.

*European Marine Site.* By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through

increased recreational demands. The Council's has a obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £962.

*Strategic sports facilities.* By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £26,078.

*Strategic transport.* By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating this impact is £120,589.

*Strategic public realm.* By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £3,109.

The total figure for Phase 1a is therefore £316,410. In addition the management fee is £12,854 to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement.

A negotiated element has also been sought, £50,000 has been requested for off site highway improvements (signal improvements at Outland Road) and £15,000 towards the management of Ham woods following the relocation of reptiles.

The applicant has indicated that they wish to have the application considered under the Council's Market Recovery Scheme, and are prepared to accept the terms of that provision to make a substantive start on site within 2 years. A viability assessment has been submitted which demonstrates that even with a 50% reduction of tariff contributions the development will be unviable. This is in large part due to the fact that the development will provide a community hub, which itself partly addresses impacts but also provides other major regeneration benefits. The applicant has therefore presented a case for a more substantial relaxation of tariff contributions, seeking to demonstrate the benefits the scheme and how they intend to mitigate the impacts of development. The applicant has considered the impact of this proposal together with the impacts of Phase 1b.

The total sum to mitigate the development for both Phase 1a and Phase 1b is £554,356 (see application for Phase 1a for breakdown) with a 50% reduction under the market recovery scheme a sum of £277,178.

## **OFFER BEING MADE BY THE APPLICANT**

After negotiating with the developer from a point of zero contributions being offered to off-set the impacts the applicant is now offering the following contributions for both Phase 1A and 1B. The sum expected if the full market recovery contribution was paid for each of these areas with phase 1 and b combined is given at the end of each section.

### **Local Infrastructure**

#### **Schools**

The Plymouth Planning Obligations Evidence Base sets out a mechanism for calculating the tariff for schools and relates entirely to early years and primary places as there is there is not a capacity issue at secondary level. The tariff is based on the pupil product ratio per dwelling applied to two, three and four bedroomed homes.

The Community Hub which will form part of Phase 1B of the scheme will provide a new LARK Children Centre at an estimated cost of £550,000. This clearly relates directly to Early Years education and as such makes a significant over-provision to this element of the tariff. Notwithstanding this the applicants have offered the sum of £10,000 to mitigate the impact on primary school provision.

A sum of £51,894 will be sought to mitigate development under the market recovery scheme if the LARK Children's Centre is not provided as part of Phase 1B.

#### **Health**

The Community Hub will provide 100sq.m. of space dedicated to public health nursing and Healthy Futures at a cost of over £100,000. There is no significant shortfall in capacity in this area and therefore no tariff is sought.

#### **Libraries**

The Community Hub will provide a new library at a cost of over £300,000; the tariff is therefore not required to provide mitigation providing the library is delivered. A sum of £5,082 will be sought to mitigate development under the market recovery scheme if a new library is not provided as part of Phase 1B.

#### **Green Space**

The new square at the heart of the hub will provide up to 1000 sq.m. of level, car free public open space at the heart of the community. To accommodate parking and the dramatic level changes in this part of the site, over 2000 sq.m. of public realm will be provided in total to the new community hub. This is supplemented by 1000 sq.m. of incidental public open spaces within Phase 1A which provide visual amenity as well as distinctive areas of arrival and character.

The inclusion of smaller green spaces at the heart of the scheme enables opportunities for play and informal interaction by residents. Given the over-provision of other local elements of the tariff, the applicant considers that this is sufficient to mitigate the effects of the development on a local level.

In addition £26,357 has recently been spent by the applicant on the provision of play equipment at Titchey Park.

A sum of £14,817 will be sought to mitigate development under the market recovery scheme if the public open space is not provided as part of Phase 1B.

### **Children's' Play Space**

The Community Hub will provide a new private children's play area as part of the Children's Centre together with a public play area in the central courtyard. This is considered to offset the impact and therefore it seems reasonable that no tariff be paid in respect of this item. A sum of £9,788 would be sought to mitigate development under the market recovery scheme if the children's play space is not delivered as part of Phase 1B.

### **Playing pitches**

The applicant is prepared to offer the sum of £10,000 in respect of this item instead of a sum of £26,877 that would normally be sought to mitigate development under the market recovery scheme.

### **Strategic Infrastructure**

#### **Greenspace**

A bio-diversity contribution of £15,000 for management of Ham Woods will contribute towards mitigating the effects of this development on the strategic area. Instead of the sum of £33,041 that would normally be sought to mitigate development under the market recovery scheme.

#### **European Marine Site**

The applicant is prepared to offer the sum of £750 instead of the sum of £781 that would normally be sought to mitigate development under the market recovery scheme.

#### **Sports facilities**

The applicant is prepared to offer the sum of £10,000 instead of the sum of £21,119 that would normally be sought to mitigate development under the market recovery scheme.

#### **Public realm**

The applicant is prepared to offer the sum of £1500 instead of the sum of £2517 that would normally be sought to mitigate development under the market recovery scheme.

## Transport

The £50,000 negotiated element that the applicant has agreed to pay is deemed acceptable by the Highway Authority, given the overriding benefits of the scheme. An additional sum of £111,264 would normally have been sought to mitigate development under the market recovery scheme.

### Summary table for Phases 1A and 1B:

	Full Tariff (£'s)	Tariff Required under market recovery (£'s)	Offer made by applicant (£'s)	Reason for variation
<b>Local Infrastructure</b>				
Schools	103,787	51,894	10,000	Provision of LARK Children Centre in hub
Health	0	0	0	Provision of public health nursing and healthy futures in hub
Libraries	10,164	5082	0	Library proposed in hub
Green space	29,633	14,817	0	Incidental public open space proposed in 1A and hub
Children's play space	19,576	9,788	0	Children's playspace provided in hub
Playing pitches	53,754	26,877	10,000	Not affordable due to viability
<b>Strategic Infrastructure</b>				
Green space	66,082	33,041	15,000	Not affordable due to viability.
European Marine Site	1561	781	750	Not affordable due to viability
Sports facilities	42,238	21,119	10,000	Not affordable due to viability
Public realm	5,033	2,517	1,500	Not affordable due to viability
Transport	222,528	111,264	0	Not affordable due to viability. £50,000 being paid as negotiated element.
<b>TOTAL</b>	<b>554,356</b>	<b>277,178</b>	<b>47,250</b>	

The appellant also makes that case that the Council's adopted Planning Obligations and Affordable Housing SPD First Review 2010 states that 'Providing better and more affordable housing is a priority for the Council and this is what this scheme is intending to achieve. Adopted Core Strategy policy (CS15) states that 30% of dwellings in new schemes should be affordable homes. The Market Recovery Scheme (MRS) states that a reduction of up to 50% of the full affordable housing requirement may be considered. This scheme will in fact provide 62% affordable housing, more than double normal policy and four times what would be required under the MRS. The cost of this to PCH in terms of potential lost housing revenue is significant. The applicant argues that as delivery of affordable housing is stated to be a priority this is a significant benefit to the community which justifies mitigation of some of the other tariff elements and will be lost if the scheme does not proceed.

The applicant also argues that under Regulation 122 of the Community Infrastructure Levy Regulations 2010, planning obligations should be used to make development acceptable which would otherwise be unacceptable in planning terms. Because of the major community benefits arising from this scheme, in particular the significant contribution towards achieving the Council's priority objective of providing better and more affordable housing, the significant deficit which PCH will have to bear in order to achieve this and the over-provision of certain community elements at the Community Hub it is considered that the development would be acceptable in planning terms. It is also clear from the viability studies that have been carried out that the scheme is not viable in a normal commercial sense and as such is not capable of financially supporting any additional tariff contributions.

Having taken into account the above proposals it is clear that while the applicant has presented some valuable evidence to demonstrate how some impacts will be mitigated against, it is not possible to mitigate the impact in all areas due to the viability gap. The question that therefore needs to be asked is, if the overall benefit of providing this new housing and the community hub outweigh the impacts.

#### **PROPOSED WAY FORWARD WITH REGARD TO S106 OBLIGATIONS FOR BOTH PHASE 1A & 1B**

The Planning Service have considered this in depth and have concluded that on balance the benefits of these proposals do outweigh the local and strategic impacts; they offer benefits not only to the local community but also to the wider area. It is however considered that the contribution offered should be prioritised, so that the money is spent where the most significant impact would be had. In the opinion of the Local Planning Authority the most significant impact would be on responding to the impacts primary school provision given the substantial capacity problems in this area, as well as addressing our legal obligations in relation to impacts on the European Marine Site. Other areas will face impacts, but the scheme does provide partial mitigation (in the case of transport, through the Negotiated Element) or mitigation will be able to be addressed through subsequent phases of development. In relation to the

biodiversity impacts, it is considered that this can be effectively dealt with through planning conditions rather than a separate financial contribution.

The level of tariff contributions are therefore accepted on the condition that if the stated hub uses are not delivered, the applicant will have to pay the full market delivery tariff.

The following Heads of Terms are therefore proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

- i. Local schools tariff: £46,469, to be allocated to the provision of additional school places within the North Prospect locality.
- ii. European Marine Site. £781 to be allocated to appropriate management measures for the Tamar Estuaries as set out in the Tamar Estuaries Management Plan.
- iii. £50,000 for off site highway improvements (signal improvements at Outland Road)
- iv. Planning Obligations Management Fee. £20,705, to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement.

It is also important to note that a clause will be tied into the S106 agreements for both Phase 1A and 1B that if the hub is not delivered in accordance with a phasing programme to be agreed by the Planning Service then the applicant will be expected to pay the full market recovery tariff of £277,178. This will ensure that the hub is delivered within a reasonable period or that the full market recovery tariff is paid. A series of trigger points shall be agreed in the S106 agreement for delivery of the hub or payment of the tariff.

## **Equalities & Diversities issues**

### **Access for all**

The development will offer inclusive design for safe and easy use for all. The access to all homes is designed to enable easy access by all including those with mobility impairments. Great care has been taken to ensure that the development meets the requirements of the DDA and Part M of the Building Regulations. This design incorporates desire routes for those customarily excluded from the process. Levels, colours, lighting, markings, sizes and surface finishes, are all being coordinated to make this a barrier free development. Appropriate wheelchair accesses, and facilities for people with visual impairments, are an integral part of the movement process. All potential site users no matter what their disability, age or sex, will be able to enter the



site, move around the area, enter the buildings and use the facilities in accordance with policies CS02 and CS34.

### **Lifetime homes**

Policy CS15 requires that 20% of all new dwellings for Plymouth shall be constructed to Lifetime Homes Standards. Lifetime homes allows for the 'future proofing' of all new dwellings and should be considered desirable in all cases. In this case the proportion of units that aim to achieve Lifetime Homes standards is set at 100%. This is clearly well in excess of planning policy and this aspiration is supported.

Evidence of compliance with the sixteen Lifetime Homes Guidelines that aspire to provide accessible and adaptable accommodation for everyone has been provided by Habinteg the creator of Lifetime Homes guidance. Provisions to meet these standards include design for future provision of stair lifts or through-floor lifts, an entrance level WC and provision or potential for conversion for a ground floor bed space. Due to the steep topography of the site and the lack of front access for parking from North Prospect Road the applicant has utilised split level designs for the homes to facilitate level access to parking from the rear.

The applicant is proposing to provide cycle stores throughout the site in accordance with the City Councils minimum standards. This will encourage cycling as an alternative mode choice and help towards the aims of any travel planning. Each unit should be secured and covered to encourage its use. The drawings indicate units within the private rear gardens areas of properties which should provide adequate security.

### **Conclusions**

This scheme will take an important first step in the regeneration of North Prospect and extensive pre-application discussions have resulted in a well thought out proposal that is supported by the Local Planning Authority. Poor quality housing will be replaced by a good range of housing types and tenures, which will be integrated within a permeable network of attractive connected streets. This will both meet the needs of the existing community and encourage investment in the area. Homes will be more sustainable and all will be built to lifetime homes standard. An enhanced frontage to North Prospect Road will be provided to reinforce the wider significance of this route in the city, and pedestrian flows and connectivity will be improved throughout the site to create a sustainable linked community. The challenging topography of the site will be utilised in carefully designed dwellings that meet the needs of their occupants and improve the character and appearance of the area.

Despite viability issues preventing the applicant from being able to meet the full tariff contributions, the applicant has provided information to suggest that the main impacts of the development can be mitigated against and have argued that for those that can not be, the overriding benefits provided by both Phase 1A and B far outweigh these impacts.

The Local Planning Authority have had to weigh up these factors in making their recommendation, however have concluded that the benefit had to local people, the North Prospect community and the City as a whole prevail over the shortfall in tariff contributions and that the main impacts will be suitably mitigated against. This application is therefore supported and recommended for conditional approval subject to the signing of the S106 agreement, with delegated authority to refuse if the S106 is not signed by 22<sup>nd</sup> February 2011.

### **Recommendation**

In respect of the application dated **30/11/2010** and the submitted drawings, , it is recommended to: **Grant conditionally subject to S106 Obligation**

### **Conditions**

#### **PLAN NUMBERS**

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: PH1698\_PHASE1A\_1, PH1698\_PHASE1B\_1, 10/4088HTA-1A, 10/4088HTA-1B, PCH.NPP.0810 (Report) A4 Tree Survey, PCH.NPP.0810 (Table) A4 Tree Survey, NPP AL 02-001, NPP AL 02-010, NPP AL 02-011, NPP AL 02-012, NPP AL 02-013, NPP AL 02-014, NPP AL 02-050, NPP AL 02-051, 31340/GA/101, 31340/RP/101, NPP AL 02-021, NPP AL 02-022, NPP AL 02-023, NPP AL 02-024, NPP AL 02-025, NPP AL 02-026, NPP AL 02-027, NPP AL 02-028, NPP AL 02-029, NPP AL 02-060, NPP AL 02-061, NPP AL 02-062, NPP AL 02-520, NPP AL 02-521, NPP AL 02-522, B, NPP AL 02-523, NPP AL 02-524, NPP AL 02-525, NPP AL 02-526, NPP AL 02-527, NPP AL 02-100, NPP AL 02-101, NPP AL 02-102, NPP AL 02-105, NPP AL 02-106, NPP AL 02-107, NPP AL 02-110, NPP AL 02-111, NPP AL 02-115, NPP AL 02-116, NPP AL 02-120, NPP AL 02-121, NPP AL 02-130, NPP AL 02-131, NPP AL 02-135, NPP AL 02-136, NPP AL 02-137, NPP AL 02-138, NPP AL 02-140, NPP AL 02-141, NPP AL 02-142, NPP AL 02-143, NPP AL 02-145, NPP AL 02-146, NPP AL 02-147, NPP AL 02-148, NPP AL 02-150, NPP AL 02-151, NPP AL 02-152, NPP AL 02-155, NPP AL 02-156, NPP AL 02-160, NPP AL 02-161, NPP AL 02-165, NPP AL 02-166, NPP AL 02-170, NPP AL 02-171, NPP AL 02-172, NPP AL 02-175, NPP AL 02-176, NPP AL 02-210, NPP AL 02-211, NPP AL 02-212, NPP AL 02-213, NPP AL 02-214, NPP AL 02-215, NPP AL 02-216, NPP AL 02-217, NPP AL 02-220, NPP AL 02-221, NPP AL 02-222, NPP AL 02-223, NPP AL 02-224, NPP AL 02-225, NPP AL 02-226, NPP AL 02-227, NPP AL 02-230, NPP AL 02-231, NPP AL 02-232, NPP AL 02-233, NPP AL 02-234, NPP AL 02-240, NPP AL 02-241, NPP AL 02-242 E, NPP AR AS1A, NPP AR AS, NPP AR PTS, NPP AR SPD (Table) and accompanying A4 Phase 1A Regeneration SPD Unit Size Comparison, NPP (Report) A4 Air Quality Assessment Report (WSP), NPP (Report) A4 Biodiversity Report: Protected Species (Devon Wildlife), NPP (Report) A4 Biodiversity Report: Reptile Survey (Devon Wildlife), NPP (Report) A4 Community Involvement (Remarkable), NPP (Report) A4 Ecological Enhancement and Mitigation (WSP), NPP (Report) A4 Ecology Report (Devon Wildlife), NPP (Report) A4 Flood Risk Assessment (WSP), NPP (Report) A4 Geo-Environmental and Soakaway Assessment (WSP), NPP (Report) A4 Transport Assessment (WSP), NPP (Report) A4 Travel Plan (WSP), NPP (Report) A4 Utilities Assessment (WSP), NPP (Report) A4 Spatial Strategy Report (LB), NPP

(Report) A4 Design and Access Statement (HTA) - Site Waste Management Plan

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(2) 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.

LAND QUALITY

(3) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved (other than that required to be carried out as part of an approved scheme of remediation) shall not commence until conditions 4 to 7 have been complied with. If unexpected contamination is found after the development hereby approved has commenced, development shall 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 6 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 use 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.

INFORMATIVES: CODE OF PRACTICE DURING CONSTRUCTION

(1) The management plan required by condition 7 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;

c. Hours of site operation, dust suppression measures, and noise limitation measures.

#### SECTION 278 AGREEMENT

(2) The applicant will be required to enter into discussions with the Highway Authority to agree the details of the highway works associated with this development. Furthermore a Section 278 Agreement, Highway act 1980 will be required to be signed before any works take place within the highway.

#### ACCESS TO SITE

(3) The developer will be required to contact the Highway Authority to apply for an access to site permit before any development takes place.

#### EXTINGUISHMENT OF HIGHWAY

(4) The construction of the development hereby permitted shall not commence until such time that an application under the provisions of Section 247 to the Town and County Planning Act has been made to the Government Office to extinguish the highway rights along the length of highway maintainable at public expense, known as Woodhey Road (2). No construction will be permitted on this highway until such time that the process to extinguish has been completed.

#### SITE CHARACTERISATION

(4) An investigation and risk assessment, in addition to any assessment provided with the planning application, shall 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 shall 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 shall 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,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This shall 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

(5) 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 (2206-2021) 2007.

#### IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(6) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall 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 shall 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

(7) 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 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, 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 6.

### 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.

## CODE OF PRACTICE

(8) 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.

## SURFACE WATER MANAGEMENT

(9) No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- details of the drainage during the construction phase;
- details of the final drainage scheme;
- provision for exceedance pathways and overland flow routes;
- a timetable of construction;
- a construction quality control procedure;
- a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme

shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development and avoid conflict with Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### EXISTING TREE/HEDGEROWS TO BE RETAINED

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

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

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

(c) The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

#### ARBORICULTURAL METHOD STATEMENT

(11) An Arboricultural Method Statement needs to be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any works on site. This method statement should detail how the trees are to be protected during construction. It should include

measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 9 of BS: 5837:2005 Trees in relation to Construction. A no-dig load bearing permeable solution (such as a cellular confinement system) should be used for the parking bays beneath the Lime trees fronting Laurel Road.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 (4) of the Council's adopted Core Strategy.

#### LANDSCAPE DESIGN PROPOSALS

(12) 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 means of enclosure and boundary treatment; hard surfacing materials; including the materials of any retaining structure where there are level changes; refuse or other storage units, signs, lighting; proposed and existing functional services above and below ground e.g. drainage, power, communications cables, pipelines, indicating lines, manholes, supports etc.

Reason:

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

#### SOFT LANDSCAPE WORKS

(13) Soft landscape works shall include planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme.

Reason:

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

#### LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

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

#### LANDSCAPE MANAGEMENT PLAN

(15) 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### MAINTENANCE SCHEDULE

(16) No development shall take place until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason:

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

#### STREET DETAILS

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

Reason:

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

#### ROAD ALIGNMENT AND DRAINAGE

(18) Development shall not begin until details of the vertical alignment for the new street areas have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

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

#### COMPLETION OF ROADS AND FOOTWAYS

(19) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 16 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 (CONTRACTORS)

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

#### Reason:

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

#### PROVISION OF PARKING AREA

(21) 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.

#### CYCLE STORAGE

(22)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.

#### GRAMPIAN (ACCESS/ HIGHWAY IMPROVEMENTS)

(23) No dwelling hereby permitted shall be occupied until the proposed access and improvements to the existing highway, to include details of on-street parking, improved pedestrian crossings and bus stop upgrades (Shelters with passenger information systems and bus boarder kerbs to be

agreed at each existing stop), and speed limit enhancement where required, shown on plans to be submitted to and approved in writing by the Local Authority 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.

#### EXTERNAL MATERIALS

(24) 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 CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SUSTAINABLE RESOURCE USE

(25) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how 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. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed in writing, the approved on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development.

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 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

#### ECOLOGICAL MITIGATION AND ENHANCEMENT STRATEGY

(26) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated November 2010) for the site.

Reason

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

LIFETIME HOMES

(27) A minimum of 20% of the new dwellings shall be first constructed and subsequently maintained so as to meet Lifetime Homes Standards.

Reason:

To ensure that the development delivers 20% of the residential units to Lifetime Homes Standards in accordance with development proposal and the adopted Core Strategy Policy CS15 and relevant Central Government advice.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(28) 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 development falling within Classes A, B, C, D, E and F of Part 1 of the Schedule to that Order shall at any time be carried out unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to protect neighbouring amenity and comply with policies CS34 of the Core Strategy.

STAFF TRAVEL PLAN

(29) The development hereby permitted shall not be occupied until a Travel Plan (TP) has been submitted to and approved in writing by the Local Planning Authority. The said TP shall seek to encourage use of modes of transport other than the private car to get to and from the development. 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 TP; 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 TP.

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.

#### HISTORIC INVESTIGATION AND RECORDING

(30) No part of the development allowed by this permission shall be commenced until the applicant has made arrangements, to the satisfaction of the Local Planning Authority, for a programme of historic investigation and recording, in accordance with a written scheme which has been agreed with the Local Planning Authority.

Reason:

To ensure that the proposed development does not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### HAM WOODS MANAGEMENT PLAN

(31) No work shall commence until a 3 year management plan for Ham Woods has been submitted to and agreed in writing by the Local Planning Authority. The management plan shall be carried out as approved.

Reason:

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

#### REFUSE STORAGE DETAILS

(32) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:- refuse storage details. The works shall conform to the approved details.

Reason:

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

#### OBSCURE GLAZING

(33) 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), the first floor windows to the hallway and bathroom of the 4 Type E houses on the site shall at all times be obscure glazed and non-openable.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## PHASING PROGRAMME

(34) A phasing programme for the construction of the whole of Phase 1A and 1B must be submitted to and agreed in writing by the Local Planning Authority. The construction programme must be carried out as approved.

### Reason:

To ensure the delivery of the community hub or payment of contributions to mitigate the impacts of development in accordance with Core Strategy policies CS01 and CS33.

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

Having regard to the main planning considerations, which in this case are considered to be: the proposed layout, the design and amenity of the dwellings proposed, their impact on neighbouring properties, the impact on wildlife and trees/ vegetation, the impact on the highway and to the character 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 (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 (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  
PPS22 - Renewable Energy  
PPS23 - Planning & Pollution Control  
CS28 - Local Transport Consideration  
CS32 - Designing out Crime  
CS33 - Community Benefits/Planning Obligation  
CS34 - Planning Application Consideration  
CS22 - Pollution  
CS14 - New Education Facilities  
CS18 - Plymouth's Green Space  
CS19 - Wildlife  
CS20 - Resource Use  
CS21 - Flood Risk  
CS22 - Pollution  
CS03 - Historic Environment  
CS01 - Sustainable Linked Communities  
CS02 - Design  
CS15 - Housing Provision  
CS16 - Housing Sites  
CS30 - Sport, Recreation and Children's Play Facilities  
CS31 - Healthcare Provision  
SPD2 - Planning Obligations and Affordable Housing

SPD1 - Development Guidelines  
SPD3 - Design Supplementary Planning Document