

PLANNING APPLICATION REPORT



ITEM: 4

Application Number: 10/02141/FUL

Applicant: Midas Homes Limited

Description of Application: Variation of condition 13 of planning permission 09/01836 to require 20% of dwellings constructed to meet lifetime homes standards (previously 80%)

Type of Application: Full Application

Site Address: LAND AT KINTERBURY SQUARE BARNE BARTON
PLYMOUTH

Ward: St Budeaux

Valid Date of Application: 20/01/2011

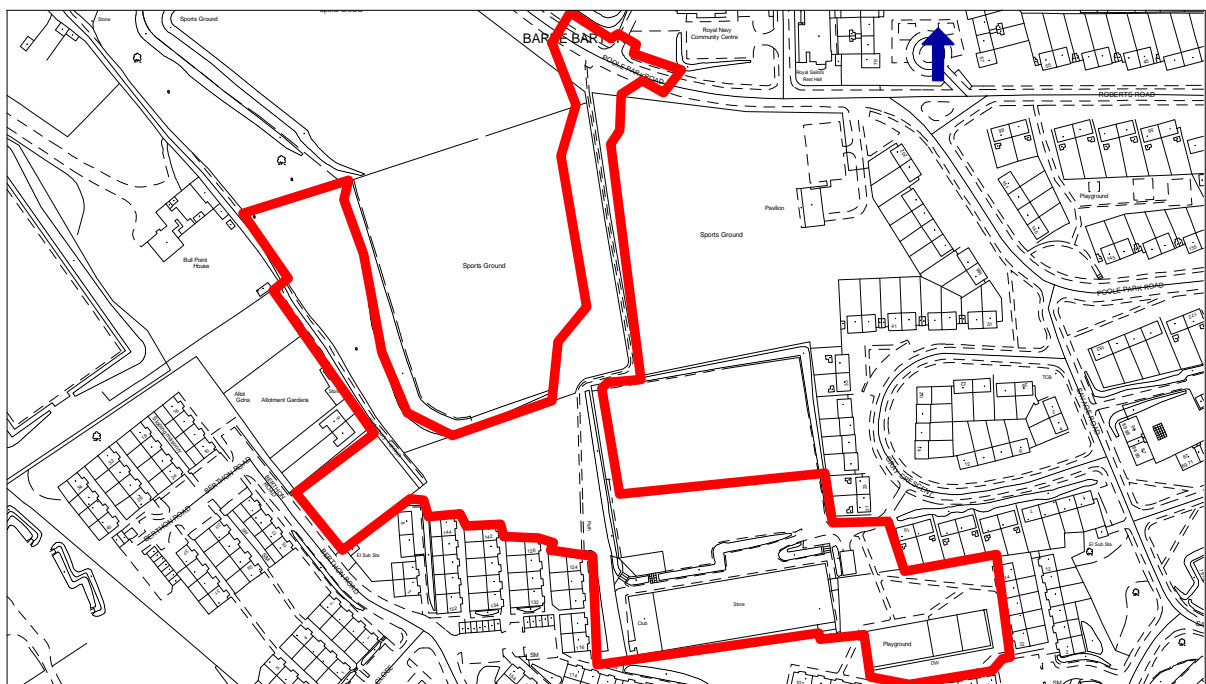
8/13 Week Date: 21/04/2011

Decision Category: Major Application

Case Officer : Carly Francis

Recommendation: Grant Conditionally

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OFFICERS REPORT

Site Description

The site is an irregular shape of about 2.5 hectares in Barne Barton centred on part of the former parade ground and including some pockets of open unmanaged space, allotments and a playground. The site is situated in an area of housing and playing fields. It is bounded by Poole Park Road, Gray Crescent, Kelly Close, Berthon Road, and a playing field. The main vehicle access would be opposite Tamar View Community Centre and the Co-op shop. A footpath currently exists here, along the west boundary of Riverside School. The other side of this footpath is a sports ground. There is housing to the east and south of the site and to the west beyond the allotments. The land slopes down across the site from north east to south west as it drops to the Tamar and from the higher ground there are splendid views to the rivers Tamar and Lynher.

Proposal Description

Variation of condition 13 of planning permission 09/01836 to require 20% of dwellings constructed to meet lifetime homes standards (previously 80%).

Relevant Planning History

07/01419 (OUT) Outline application for the development of the former parade ground, furniture store and land for housing comprising 24 flats and 33 houses, new access road, parking areas and open land- WITHDRAWN.

09/01836 (FULL) Erection of 69 dwellings with associated access road and car parking areas- PERMITTED SUBJECT TO S106.

Consultation Responses

Housing Strategy- no objections.

Representations

Nil.

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 application to which this planning condition relates was approved in March 2010 and was for the erection of 69 dwellings with an associated access road and car parking areas.

When this proposal was originally submitted the applicant had hoped to exceed the 20% Lifetime home requirement and proposed that 80% of the dwellings be built to lifetime homes standards.

While it is disappointing that the applicant has now applied to reduce the proportion of Lifetime Homes from 80% to 20%, the reasons for this change are understood. The levels on site have made achieving the 80% more challenging than expected. The most common problem being the need to create level access from dwellings to their parking areas.

It is therefore proposed that 20% be built to lifetime homes standard. This is still in accordance with Policy CS15 which states that:

'20% of the new dwellings will be built to "Lifetime homes" standard'.

The applicant has specified which units will be Lifetime Homes compliant and have provided plans to demonstrate how they will comply with the 16 lifetime homes criteria. The Planning Department is satisfied that this level can be achieved and therefore while the Planning Department would encourage as many lifetime homes as possible, the proposal for 20% meets the requirements of Core Strategy Policy CS15 and therefore it would not be reasonable to refuse the application for this reason.

Section 106 Obligations

N/A

Equalities & Diversities issues

No further issues to discuss.

Conclusions

The proposal to amend the condition would still ensure that the proposal accords with Policy CS15 of the adopted Core Strategy and therefore this application for a variation of condition is recommended for approval.

Recommendation

In respect of the application dated **20/01/2011** and the submitted drawings 1001, 700 A, 701 A, 702 A, 704 A, 705 A, 707 A, 708 A, 709 A, 703 A, 706A, 710 A, 711 A, 712, A, 713 A, 714 A, 715 A, 716 A, 717 A, 718 A, 720 A, 721 A, 16 G, 12 H, it is recommended to: **Grant Conditionally**

Conditions

LIFETIME HOMES

(1) Condition 13 of planning permission 09/01836/FUL is hereby varied to read:

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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the design of the housing proposed, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified varied condition, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration

CS15 - Housing Provision