

PLANNING APPLICATION REPORT



ITEM: 07

Application Number: 11/00238/FUL

Applicant: Barratt Homes (Exeter Division)

Description of Application: Re-develop site by erection of 14 dwellings with associated access, parking, landscaping and drainage (demolition of existing buildings)

Type of Application: Full Application

Site Address: 3 to 5 MARKET ROAD PLYMOUTH

Ward: Plympton Erle

Valid Date of Application: 28/02/2011

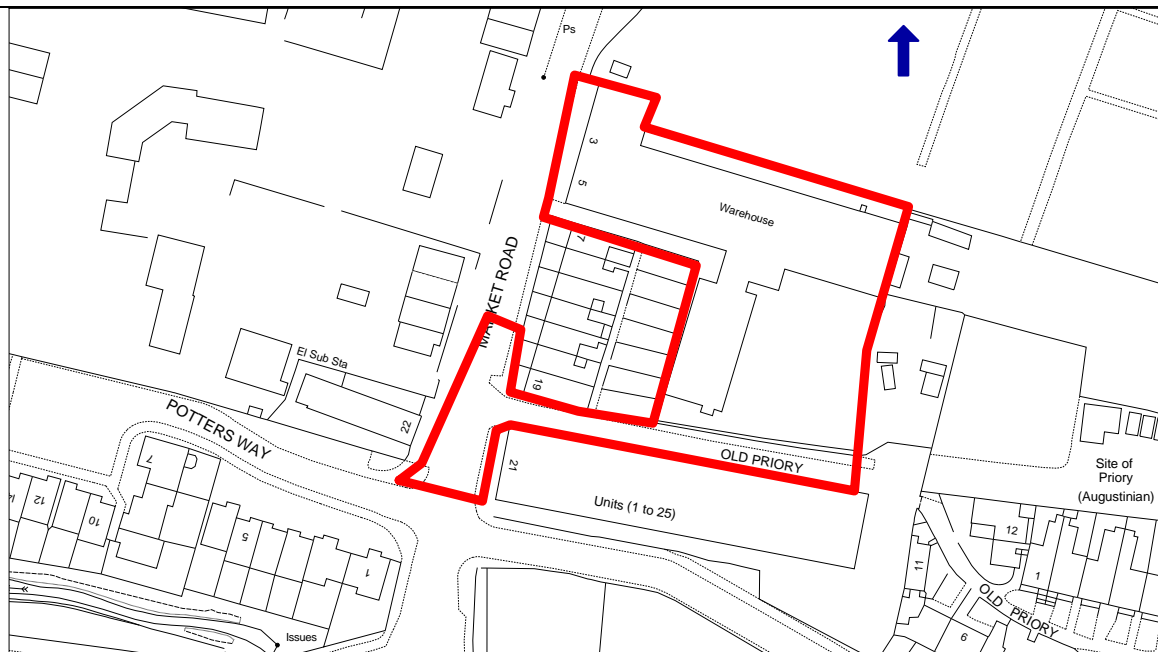
8/13 Week Date: **30/05/2011**

Decision Category: Major Application

Case Officer : Robert Heard

Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28 May 2011

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OFFICERS REPORT

Site Description

The site is located on Market Road in Plympton, adjacent (and to the south) of the existing St Marys Church and opposite (to the east) of the former livestock market previously known as Plympton Cattle Market, which is in the final stages of being redeveloped for 49 dwellings. The site is approximately 0.25 hectares and is currently occupied by various commercial buildings (mainly in the form of warehouses) being mostly used for vehicle repairs and storage with a small element of office use, although some of buildings have recently become vacant.

The surrounding area is mixed in terms of uses, there is a new housing development nearing completion to the west on the former cattle market site, further vehicle repairs and mixed industrial uses to the south, a primary school to the north and also a hospital to the west. The site shares a boundary with St Marys Church to the north and Plympton Priory (the remains of a medieval monastery) is adjacent to the east. Further housing is scattered around the aforementioned uses on all sides of the site. The site is a short walk from Plympton Ridgeway and is thus close to a range of local amenities.

Proposal Description

This application proposes to demolish the existing buildings and erect 14 dwellings at the site with associated access, parking, landscaping and drainage. The dwellings proposed are a mix of four 2 bed, seven 3 bed and three 4 bed houses, with one of the 2 beds being in the form of a FOG (flat over garage). Most of the houses are 2 storey with two 3 storey dwellings proposed at the front (west) of the site facing onto Market Road.

The site is arranged so that a terrace of 4 dwellings are positioned along the western boundary fronting Market Road. The remaining 10 dwellings (including the FOG) are accessed from the Old Priory which is a small road running along the southern boundary of the site providing access to the existing dwellings to the east of the site. A shared surface road provides access into the site from the Old Priory road to the remaining 9 dwellings and FOG. Each of the dwellings proposed has a private rear amenity area and there are 25 car parking spaces proposed in the form of garages, car ports and parking bays.

Relevant Planning History

10/01544/FUL - Continue use of warehouse for temporary general industrial use (vehicle repair garage) until 14 February 2012. APPROVED.

Opposite site (Old Cattle Market)

09/01432/FUL - Redevelopment of cattle market by erection of 49 dwellings with associated carparking, new vehicular access, landscaping construction of flood flow route, stream widening and creation of footpath to playing field (resubmission re-positioned and enlarged flood route and stream widening). PERMITTED.

09/00928 - Redevelopment of cattle market by erection of 49 dwellings with associated car parking, landscaping, stream widening, creation of footpath to playing field and new vehicular access – WITHDRAWN

07/02352 – Redevelopment of cattle market by erection of 53 dwellings with associated car parking, landscaping and new vehicular access – REFUSED

07/00539 – Erection of 50 dwellings with associated parking, landscaping and new vehicular access – WITHDRAWN

Consultation Responses

Highway Authority

The Highways Officer was heavily involved in pre-application discussions under the Councils Development Enquiry Service and has verbally stated no objection, with written comments and conditions to follow in an addendum report.

Public Protection Service

No objection subject to conditions.

Environment Agency

Have verbally stated no objection and were involved in pre-application discussions. Written comments awaited and to be reported via an addendum report.

English Heritage

Written comments awaited and will be reported via addendum report. EH were involved in pre-application discussions and were supportive of the development, they have stated verbally support for the application

Representations

5 letters of representation received that state support for the principle of development, but raise the following concerns:

1. Access and parking is insufficient.
2. The site is being over-developed.

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.

As stated above, the application proposes to demolish the existing buildings at the site and erect 14 dwellings with associated access, parking, landscaping and drainage. The dwellings proposed are a mix of four 2 bed, seven 3 bed and three 4 bed houses, with one of the 2 beds being in the form of a FOG (flat over garage). Most of the houses are 2 storey with two 3 storey dwellings proposed at the front (west) of the site facing onto Market Road.

It is considered that the main issues in the determination of this application are the principle of the proposed development; the impact that it will have on the character and appearance of the area; impact upon nearby properties residential amenities; impact upon the adjacent Priory and impact upon the surrounding highway network. These issues will now be addressed in turn:

Principle of Development

The site is presently occupied by warehouse style buildings that have most recently been used for vehicle repairs, although the majority of buildings on the site are now vacant. It is thus considered to be brownfield land.

With regards to the current employment use, it is considered that the application does not conflict with policy CS05 (Development of Existing Sites) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007). There is no identified shortfall of employment land in the area and the Sustainable Neighbourhoods Assessment for this area (Plympton St Maurice) concludes that local job opportunities are good. There are also clear environmental benefits in developing the site for housing. The employment use at the site is historical and over time has become surrounded by residential development, which has created tension between nearby housing development and the uses being undertaken at the site. These tensions were recognised when application 10/01544 was considered (see planning history section above). It was noted in the conclusion of the planning committee report for this application (for vehicle repairs) that *'the use is not one that is considered sustainable over the long term in an area that has become even more residential in recent times, e.g. the new houses being constructed across the road.* The application was therefore granted a temporary consent.

The site is not constrained by any restrictive planning policy and is not located within a Conservation Area. It is therefore considered that the redevelopment of this site for residential purposes is acceptable in principle and compatible with the surrounding development, which is mixed in character but has a residential core.

Character and Appearance

Policy CS43 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) refers to siting, layout, orientation, local context and character. New development proposals are required to take account of the existing context and the criteria referred to. The form and use of existing development in the area is diverse, there is a new housing development nearing completion to the west of the site, St Marys Church to the north and a mix of more recent and period housing and industrial uses to the east and south.

The majority of the site is hidden from many of the nearby areas. To the west the site is bounded by existing residential development, specifically numbers 7 – 19 Market Road and just across the Old Priory to the south is existing warehousing. To the north is the church yard and areas to the east are mainly private, providing access to minor industrial development and housing. The location is therefore not prominent and the majority of the site will not be visible from Market Road.

With regards to layout generally, the proposal is reflective of the existing built form in the area by providing terraced dwellings. Proposed units 1 – 4 are the most prominent of the proposed dwellings and are located along the western boundary of the site, fronting onto Market Road and adjacent to the existing terraced housing that is also oriented facing west. This ensures that the existing building line is continued along Market Road and provides further natural surveillance of the street. This is the only part of the site that faces onto a busy public space and the location of units 1 – 4 is considered to be a sensible solution to the development of this site, ensuring that the existing pattern of development along this side of Market Road is respected.

The rest of the proposed development, namely units 5 – 14, are located further within the site and accessed from the Old Priory to the south, creating a new shared surface street that terminates at the northern end of the site. Eight units, in the form of 2 semi detached houses and a terrace of six dwellings are positioned adjacent to the eastern boundary of the site and oriented facing west, therefore overlooking the new shared surface street and providing a continual frontage and established building line within the development. Each plot has a private rear garden abutting the rear (eastern) boundary of the site. Of the two remaining units of accommodation, one is provided in the form of a FOG, oriented facing east at the northern end of the site in order to create a traditional street form facing the proposed 8 units referred to above. The final unit is a detached property situated at the entrance to the site, alongside the proposed terrace but oriented facing south onto the Old Priory in order to give a street frontage to this road and to provide natural surveillance of the public space along the southern boundary of the site. Car ports and parking spaces are positioned opposite the proposed terrace of 8 units and alongside the proposed FOG in order to provide a sense of enclosure to the new shared surface street and ensure that car parking spaces are overlooked and integrated successfully within the development.

The layout of the site is considered to be a positive response to the limitations of the site, which is unorthodox in shape and constrained by the existing dwellings along the western boundary that face onto Market Road. However, the layout of the proposed development and orientation of the dwellings ensures that the established pattern of development along Market Road on the western side of the site is respected and that a new traditional and legible street pattern is created within the site, with all new dwellings facing the new shared surface street and thus providing natural surveillance of all areas at the site that are not private. The Council's Architectural Liaison Officer has commented that this will help to reduce the risk of crime at the site and it is positive that there are no areas within the development where there is confusion about whether land is private or communal. The proposed dwelling at the southern end of the site has been designed as a corner

dwelling with a dual frontage to ensure that natural surveillance of cornered areas is maintained.

The northern boundary has been kept free from development where possible, ensuring that views into the pleasant church grounds to the north are created from within the site. It is considered that due to the unorthodox shape of the site it is not possible to fit any further units onto the site without 'cramming', which would also make it difficult to provide the required levels of amenity space and parking. The density ratio at the site is 56 dph and this is well above the previous minimum density guidelines outlined in PPS3. Therefore the application is considered compliant with Policy CS15 (Housing Provision) of the Adopted City of Plymouth Local Development Framework Core Strategy and the Local Planning Authority is satisfied that there has been no attempt by the developer to avoid having to provide Affordable Housing at the site.

The whole site follows the same design form and the different dwelling types contain some very similar features that ensure that the scheme has balance and a considered design approach, through subtle repetition of features and materials. The proposed dwellings are residential and domestic in character, respecting the scale and style of both the existing dwellings on Market Road and those recently constructed on the former Cattle Market site, being in the main 2 storey with pitched roofs. Whilst generally being of traditional form to reflect the existing surrounding development, an element of contemporary design is reflected in the provision of more modern canopy shelters for the front doors and simple window designs that avoid the fussy detailing of past periods so that the development does not have too much of a pastiche feel to it.

The proposed dwellings are predominantly finished in render which is the dominant local material in this part of Plymouth, but generous use of stone helps to reference the existing period dwellings on Market Road and also the adjacent church, and this helps to present elevations that are interesting and varied. The materials palette is respectful of the surrounding development whilst helping to introduce some minor contemporary features such as the Juliet balconies on plots 6 and 7, and generally the proposal is in keeping with the character and identity of the context in which it sits.

The proposed development will not be particularly visible from the church grounds due to the existence of a stone wall on the northern boundary of the site and mature trees within the church grounds. Whilst the proposed dwellings will be a vast improvement with regards to visual amenity on the existing warehousing the side elevations of the dwellings that are located on the northern boundary of the site will be clad in stone to ensure that the dwellings blend into the context and do not dominate views to the south from the church yard.

Overall, it is considered that the proposed development provides a good quality housing scheme that is sensitive to the character of the surrounding area, respecting elements of the more traditional housing in the area whilst not being a slavish copy of it. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with Policy CS02 (Design) and CS34 (Planning Application Consideration) of the City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

The closest dwellings to the site, and those only likely to be affected by the proposed development are no's 7 – 19 Market Road. This terrace of 7 dwellings fronts onto Market Road, with their rear gardens being adjacent to the western boundary of the site. Proposed units 1 – 4 are located adjacent to no. 7 Market Road, being positioned alongside it and also oriented to face west onto Market Road. In terms of scale they are similar to the existing development, being 2 storey with a pitched roof and are positioned slightly forward of the existing building line. The separation distance between existing and proposed development is 2 metres and this provides a pedestrian link into and out of the site. The orientation of the proposed dwellings to match the existing and the separation distance ensure that the impact on the existing dwellings from those proposed along the western boundary of the site will not be significant and that no loss of residential amenity will occur.

The dwellings proposed to the east of the site (plots 6 – 14) are located away from Market Road and behind the existing terrace of dwellings referred to above. They are oriented to face west and there is a minimum separation distance of 30 metres between the rear elevation of the existing terrace and front elevation of the proposed terrace. This is a significant distance and ensures that no over looking or loss of privacy to the existing terrace is created by the provision of the proposed development. The rear gardens of the existing development are at the closest point 17 metres from the front elevation of the proposed development and are separated by the proposed shared surface access road and car ports that will be adjacent to the rear boundary of the existing dwellings rear gardens. This distance of 17 metres and the provision of the car ports will ensure no loss of amenity to occupiers of the existing terrace when using their rear garden areas.

The layout of the site has been arranged so that the relationship between the proposed dwellings within the site is not unacceptable. In summary, it is considered that there will be no significant residential amenity conflict created between the existing dwellings and proposed development and the application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

Impact upon Plympton Priory

The site is adjacent to Plympton Priory and the remains of a medieval monastery. The closest part of the proposed development to the Priory will be the rear gardens of plot numbers 6 – 14. The existing remains at the Plympton Priory site will not be affected by this proposal and will provide a pleasant and useful area of public green space directly adjacent to the sites eastern boundary. English Heritage was involved throughout pre-application discussions under the Councils Development Enquiry Service and the proposal has been designed (specifically the layout) in accordance with EH's advice so that it does not impact upon the Priory. In addition a watching brief condition should also be included in case further remains are found during the

construction process (although this is considered to be highly unlikely following archaeological investigations carried out at the site during the pre-application process). Detailed comments from EH and potential further conditions will be reported to the committee via an addendum report.

Highways Issues

The Highways Officer was heavily involved in pre-application discussions under the Council's Development Enquiry Service and has indicated verbally support for the application. Comments and conditions will be provided in an addendum report

Other Issues

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

In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed dwellings. These will be almost flush with the roofline and will only have a minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. The use of Photovoltaic Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

Policy CS19 (Wildlife) requires that the application makes provision for protected species at the site and that it delivers a net biodiversity gain. The site is entirely hard surfaced and most of the buildings on it have up until recently been occupied. There is very little biodiversity at the site and therefore the provision of soft landscaping in the form of private gardens to some extent ensures a net biodiversity gain. However, in order to improve biodiversity at the site and encourage wildlife onto it a condition has been added to secure biodiversity improvements, in accordance with Policy CS19.

With regards to Lifetime Homes, 3 of the units proposed are being made available as Lifetime Homes (units 11, 12 and 13). These are shown on drawing number BAR-AHR-DQS011. This is in accordance with Policy CS15 and is proposed to be secured via planning condition.

Letters of Representation

The letters of representation received do not object to the principle of the development and recognise housing as a more neighbour friendly use than the current use. They refer to access and parking and over development. Whilst the Highways Officer's views have yet to be received in writing, he has verbally stated support for the scheme. The application proposes an acceptable access with a shared surface street arrangement which will slow traffic speeds and the number of parking spaces proposed is adequate for a development of this size (25 spaces for 14 units is in accordance with current parking standards). The dph (dwellings per hectare) ratio at the site is 56, which is not particularly high, and a full range of amenities (gardens, parking, cycle storage) is provided at the site. It is therefore

considered that the provision of 14 dwellings would not be over development at this site.

Section 106 Obligations

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

Local Infrastructure

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 development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £17, 838.

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 development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £1, 560.

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 through the need for green space improvements. The estimated cost of mitigating this impact is £4, 490.

Childrens 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 through the need for play facility improvements. The estimated cost of mitigating this impact is £3, 213.

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 £8, 146.

Strategic Infrastructure

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 an 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 £10, 015.

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 an 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 £237.

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 £6, 400.

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 £18, 615

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 £764.

The following Heads of Terms are 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:

a. Local schools tariff: £17, 838, to be allocated to the provision of additional school places within the south east locality.

b. Libraries tariff. £1, 560, to be allocated to the provision of improved library facilities in the area.

c. Playing pitches tariff. £8, 146, to be allocated to the provision of improved playing pitch facilities in the south sub-area, as identified in the Playing Pitch Strategy.

d. Local green space tariff. £4, 490 to be allocated to the improvement of local green space.

e. Local play space tariff. £3, 213 to be allocated to the improvement of local play facilities.

f. Strategic green space tariff. £10, 015 to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.

g. European Marine Site tariff. £237 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

h. Strategic sports facilities tariff. £6, 400, to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

i. Strategic transport tariff. £18, 615, to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan.

j. Public realm tariff. £764, to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.

Therefore, to mitigate the impacts of the proposal, a total tariff contribution of £71, 278 is required.

Equalities & Diversities issues

The application proposes 14 new residential units that on completion should be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. Three of the units proposed will also be Lifetime Homes. No negative impact to any equality group is anticipated.

Conclusions

To summarise, this application will provide 14 new dwellings with associated car parking and landscaping also provided as part of the development package. The applicant has agreed to pay the financial contributions considered necessary to mitigate the impacts of the proposal under the Community Infrastructure Levy and Council's Market Recovery Scheme.

It is considered that the application proposes a good quality housing development with a layout that is sensitive to the existing pattern of development in the area and constraints of the site. The design of the dwellings is consistent with the recently constructed housing on the old cattle market site and also the existing period dwellings on Market Road.

The proposed development would not impact significantly upon nearby properties residential amenities due to the layout and orientation of the proposed dwellings and would not harm the surrounding highway network, providing adequate levels of off street car parking. No harm would be caused to the adjacent Priory or church. The application is therefore recommended for approval, subject to conditions and the satisfactory completion of a S106 legal agreement, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by the 28th May 2010.

Recommendation

In respect of the application dated **28/02/2011** and the submitted drawings 0400/102c, 0400/103a, 0400/104b, 0400/105b, 0400/107a, 0400/108c, 0400/109a, 0400/200-208a, BAR-AHR-DQS011, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28 May 2011**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0400/102c, 0400/103a, 0400/104b, 0400/105b, 0400/107a, 0400/108c, 0400/109a, 0400/200-208a, BAR-AHR-DQS011.

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.

DETAILS OF BOUNDARY TREATMENT

(3) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the first unit. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SUSTAINABLE RESOURCE USE

(4) 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 and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 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.

ARCHAEOLOGICAL WORK

(5) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation (WSI) which has been submitted by the applicant and approved by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with other such details as may subsequently be agreed in writing by the Planning Authority.

Reason:

To ensure that a record of any archaeological remains at the site is made, in accordance with Policy CS03 (Historic Environment) of the Adopted Plymouth Local Development Framework Core Strategy 2007

SITE CHARACTERISATION

(6) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,

- ecological systems,
- archeological sites and ancient monuments;

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

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

SUBMISSION OF REMEDIATION SCHEME

(7) 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.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(8) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

REPORTING OF UNEXPECTED CONTAMINATION

(9) 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 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, 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 8.

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.

CODE OF PRACTICE

(10) Prior to the commencement of development approved by this planning permission the developer shall submit a Code of Practice for the site that outlines how they intend to prevent or control any nuisance arising from any work carried out. The Code of practice must comply with all sections of the Public Protection Service, Code of Practice for construction and demolition sites, with particular regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust. All sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

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.

LIFETIME HOMES

(11) The development shall be constructed strictly in accordance with drawing no.s BAR-AHR-DQS011 and 0400/205 & 206 which shows 3 units (plots 11, 12 and 13) within the development hereby approved to be constructed to Lifetime Homes standards. The layout of the floor plans hereby approved shall be permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

In order to provide 20% Lifetime Homes at the site, in accordance with Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

EXTERNAL MATERIALS

(12) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the impact of the proposed development on visual amenity and the streetscene, nearby properties residential amenities, Plympton Priory and highway safety, 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:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS19 - Wildlife
- CS20 - Resource Use
- CS21 - Flood Risk
- CS05 - Development of Existing Sites
- CS03 - Historic Environment
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites