

ADDENDUM REPORT PLANNING COMMITTEE 12th JANUARY 2012

Item: 6.2

Site: Land at Barton Road, Hooe Lake, Plymstock, Plymouth.

Ref: 11/01250/FUL

Applicant: Barratt Homes Exeter.

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Trees

It is proposed to add the following conditions, as condition no.s 37, 38 and 39:

37. EXISTING TREE/HEDGEROWS TO BE RETAINED

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 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 pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned 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 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.

38. PROVISION FOR TREE PLANTING

No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority and all tree planting shall be carried out in accordance with those details and at those times.

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.

39. TREE REPLACEMENT

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are subsequently properly maintained, if necessary by replacement.

Section 106 Agreement

The Heads of Terms have now been agreed with the applicants.

Under the section titled *Recommended heads of terms* in section h, £20,000 is to be allocated towards making improvements near to the junctions at Dean Cross Road and not at Barton Road/Hooe Road as stated in the report.

Ecology

Natural England have now provided written comments, stating an objection to the proposal due to what they refer to as a lack of information concerning potential impacts to Plymouth Sound and Estuaries Special Area of Conservation (Plymouth Sound and Estuaries SAC). The basis of Natural England's objection is the impact upon the SAC from increased recreation on the estuary associated with the increase in population in this location (ie more people living close to the Estuary). However, these impacts are specifically addressed under the Plymouth Development Tariff, under the European Marine Site element of the Tariff.

The impacts upon the SAC referred to by Natural England are not unique to this application and many major development proposals within Plymouth are perceived to have an impact upon the SAC. As stated, these impacts are mitigated under the European Marine site element of the Plymouth Development Tariff. It has been discovered since receiving the letter that the officer from Natural England that provided the comments was unaware of this mechanism for mitigating perceived impacts upon the SAC. It is therefore anticipated that Natural England will withdraw their objection but as of yet nothing has been received in writing.

However, considering the impact upon the SAC, it is proposed that the full Tariff be applied to the European Marine Site element, replacing the £3, 150 listed (in the original report of section f under *Recommended heads of terms*) with the original figure of £6, 100 which is the full tariff required to mitigate the cumulative impacts of the development on the environmental quality of the European Marine Site. Despite the application being submitted under the Market Recovery Scheme the applicants have agreed to pay the full tariff (and not the 50% discounted figure). It is considered that through this obligation the impact from the development on the SAC will be appropriately mitigated.

Letters of Representation

One additional letter of representation has been received, objecting to the application on the following grounds:

1. Adverse impact upon the surrounding highway infrastructure;
2. Adverse impact upon the existing sewerage system;
3. Adverse impact upon ecology and wildlife;
4. Concerns about the density of development and increased population as a result of density.

The issues raised have already been evaluated in the main analysis section of the Officers report.