

PLANNING APPLICATION REPORT



ITEM: 06

Application Number: 12/01304/FUL

Applicant: BDW Trading Limited

Description of Application: Redevelopment of site by erection of 347 new mixed tenure homes in the form of 60 flats and 287 houses with associated parking and improvements to Cookworthy Green

Type of Application: Full Application

Site Address: WOODVILLE ROAD PLYMOUTH

Ward: Ham

Valid Date of Application: 08/08/2012

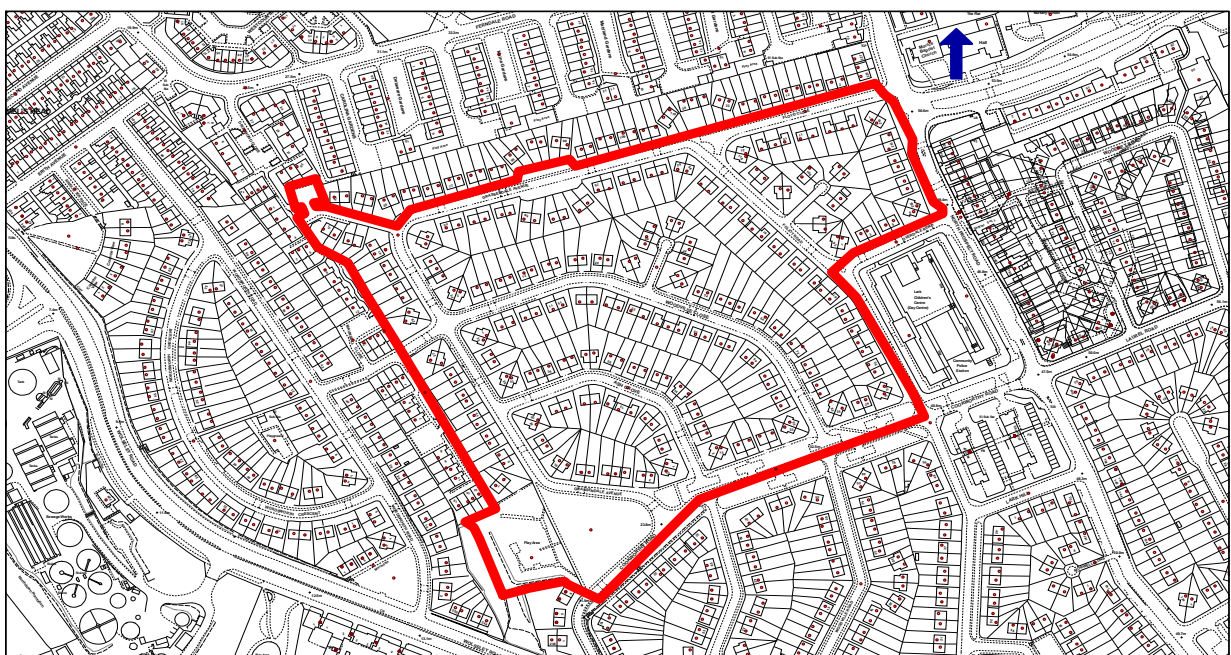
8/13 Week Date: **07/11/2012**

Decision Category: Assistant Director for Planning Referral

Case Officer : Carly Kirk

Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 31st January 2013

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This application has been brought to planning committee as it has been referred by the Assistant Director of Planning. The reason for this referral is that there are finely balanced policy issues that it is considered committee members should be made aware of.

Site Description

This application is the second phase of a major regeneration scheme at North Prospect, covering an area of 7.3 hectares. The Phase 2 site currently contains a total of 240 houses. The construction of the first phase of development, to the North East of the site, is now well underway and some houses have been sold or let and are now occupied.

The rest of the Phase 2 site is largely surrounded by former Council owned property, laid out in the garden city form typical of the whole estate. Densities in this part of the estate sit around 32 dwellings per hectare, with most properties being larger family houses with substantial private gardens.

The largest area of greenspace in the North Prospect regeneration area is Cookworthy Green which sits to the South and East of the Phase 2 site.

The site slopes steeply from North Prospect Road towards Cookworthy Green, with a fall in excess of 23m across the area covered by the application.

Proposal Description

The demolition of 240 houses and replacement with 347 new properties, the majority (83%) would be houses. This will result in an increased density of around 42 dwellings per hectare.

174 affordable homes and 173 private sale homes would be provided.

597 parking spaces are proposed equating to a provision of 1.72 spaces per home.

This application makes provisions for new open space in addition to enhancing the existing open space of Cookworthy Green and Road.

Pre-Application Enquiry

8 pre-application meetings were held over a period of 4 months. The submitted scheme reflects that discussed at pre-application stage.

Relevant Planning History

12/00825/31- Determination as to whether prior approval is required for the demolition of 240 buildings- **PRIOR APPROVAL NOT REQUIRED.**

11/01384 (REM) Reserved matters application (access, appearance, landscaping, layout and scale) for the erection of 26 houses and 5 flats and the erection of a community hub building with mixed uses including multi-use community hall, retail, nursery and office space with 58 flats above and public open space (demolition of

existing buildings including school, flats and associated garages) - GRANTED CONDITIONALLY.

10/02065 (OUT) Outline application (all matters reserved) for the erection of 26 houses and 5 flats and the erection of a community hub building with mixed uses including multi-use community hall, retail, nursery and office space with 58 flats above and public open space- GRANTED CONDITIONALLY SUBJECT TO S106.

10/02026 (FULL) 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)- GRANTED CONDITIONALLY SUBJECT TO S106.

Consultation Responses

Local Highway Authority- no objections subject to a junction upgrade being secured by S106 agreement and conditions being attached relating to street details, road alignment and drainage, completion of roads and footways, access for contractors, provision of the parking area, cycle provision, a code of practice for construction, extinguishment of the highway and grampian conditions securing access/ highway improvements.

South West Water- no objection, there is capacity within the infrastructure to serve the development proposal.

Public Protection Service- recommend approval subject to conditions being attached to any approval regarding land contamination, a code a practice, wheel washes and road sweeping.

Highways Agency- no objections, however suggest that a comprehensive travel plan be secured by condition.

Policy Architectural Liaison Officer- no objections.

Devon Fire and Rescue- no comments received.

Archaeologist- no objections, the Historic Environment implications of this proposal are adequately covered in the assessment which accompanies the application. The proposed mitigation is a building recording programme; this is deemed appropriate and shall be secured by condition.

Environment Agency- no objection however recommend that a condition be attached to ensure the construction and maintenance of a sustainable drainage system to control surface water.

Parks Services- no objections.

Representations

4 letters of representation. 3 objecting for reasons that include:

- The building of two houses on the car park located down from Grassendale towards Maunsell Close would result in a loss of parking to existing residents and would cause problems to the sewerage pipe below.
- Object to the way PCH have gone about purchasing homes.

One letter neither objects nor supports the proposal but comments specifically on the tree works proposed and the method for replanting.

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, the North Prospect Sustainable Neighbourhoods Assessment, the National Planning Policy Framework and the draft North Prospect Area Planning Statement (APS), although this can only be given minimal weight at this stage.

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.

A series of consultation events held by Plymouth Community Homes have been undertaken. This included two public exhibitions, one immediately after the bid process to gain views on the location of the public open space and more recently to explain how the design had developed and to discuss the internal arrangements of the homes. Presentations took place with Ward members where they were able to offer valuable input, particularly around the frontage to Cookworthy Road. Discussions also took place with Plymouth Community Homes board that included a number of representatives from the local community. A project website and freephone information line was also available to the public.

It is considered that thorough public consultation has taken place in accordance with Plymouth City Council's Statement of Community Involvement.

Layout and Building Form

The Layout of the site retains the existing road network and provides new pedestrian links creating a permeable network that encourages the connection of existing and newly proposed facilities. The retained existing street network will create a strong connection to the community hub.

The intention as discussed at pre-application stage was to retain as many trees as possible along Cookworthy Road to create a linear park. This will provide a strong link down from the new Community Hub and improve the character and aspect of future phases in the redevelopment.

Due to the extensive fall across the site (approximately 23m or the equivalent to 9 residential storeys) special care has been taken in the design work to undertake engineering and sectional analysis of the site. The principles for building heights reflect the overall road hierarchy with 2 storeys along the lanes, 2 and 2.5 storeys along the avenues and 3 storeys to key landmarks and frontages such as Cookworthy Green and the junction of Ham Drive and North Prospect Road.

The overall form the buildings take has emerged from a combination of their roof orientation for solar collection and by their relationship to the contours. Along the avenues the homes are arranged in semi-detached configurations. Many of these homes are split level to negotiate the site with 2.5 storeys to the street side and 1.5 storeys to the garden side - maximising light into gardens and minimising the impact on the adjacent properties.

A number of lanes and avenues will be created. The lanes are steeper with the road running up the contours. The form is thus switched with front doors stepping up the slope and predominantly gable frontages to the street. Cookworthy Road and Grassendale Avenue share the steeper character of the lanes and thus their overall form is similar, with a stepping roof form. Their greater importance in the overall street hierarchy is signified by variations in materials and details as well as the make up of the adjacent roads.

The Cookworthy Green frontage takes the gabled form that is expressed in Phase I and through the lanes; the building here would have a series of three storey bays interconnected by balconies.

The layout and building form work with the existing gradients of the site and are deemed to accord with Policies CS02 and CS34.

Open Space Proposals

A number of enhancements are proposed to Cookworthy Green including improved play facilities, nature trails, habitats and sculpture parks. The proposals reflect the comments received during the consultation exercises undertaken prior to submission.

It is intended that improvements to Cookworthy Green will strengthen links to the west across Wolseley Road and create a new gateway to North Prospect. As well as these improvements to the 5800 sqm of public open space, it is also intended to provide 500 sqm in the new public realm and green space at the centre of the proposal and 1585 sqm of public open space along Cookworthy Road (including 350 sqm of new green space).

The Council's Parks Department welcome the creation of an improved Cookworthy Green with integrated play on the Green itself along with the pocket park proposed to the north of phase 2. The design of Cookworthy Green concentrates formal play provision to the eastern side of park to create a more active zone of approximately 2500 square metres. To the west is a level open area of over 3500 square metres for more informal recreation such as kickabout space.

The play areas in the park have been arranged to create clear distinctions between different types of activity and age groups, so there will be an enclosed play space for under 8's, an open play space for older children which is adjacent to the MUGA which will be retained and upgraded. The under 8's play space is over 500 square metres and is fenced to provide a safe dog free area. It combines a variety of different types of play experience - balancing, rocking, climbing, swinging, sliding, jumping, crawling and rotating. In addition, imaginative play will be encouraged by the incorporation of dynamic and undulating landforms to provide slopes for elements such as embankment slides and rope climbs. These sunny banks have the added benefit of providing informal sitting and viewing places. Seating is provided for accompanying adults and siblings.

A large exciting piece of play equipment is provided for the older children which incorporates a range of activities. The existing MUGA will also be enhanced and semi-enclosed, protecting it from the road but keeping it open to the park. A low mound is provided adjacent to Cookworthy Road to provide a buffer to the street.

The proposed expansion of Cookworthy Green will enable the creation of a large open area allowing informal sports to take place and give an enhanced feeling of space in general.

Much debate was had during pre-application discussions regarding the treatment of Cookworthy Road, the aim was to create a liner park linking the Community Hub to Cookworthy Green, in doing this the aim was retain as many trees as possible along here whilst incorporating the required amount of parking. The proposals reflect what your officers believe to be the best solution; a green link is made which is strengthened by retaining all of the existing trees along this road.

The open space proposals are deemed to be acceptable and comply with Policy CS18 and the aims set out in the draft North Prospect APS.

Landscaping Strategy

The most significant impact the proposed redevelopment will have is the loss of existing street trees. Of the 156 street trees present within this phase, 122 will be removed. It has been identified that it will be possible to successfully retain 34 trees at key points in the street layout.

Although a high number of trees will have to be lost the reason for this is understood, the levels over the site are problematic and this together with the requirement for level access for lifetime homes and the provision of services to the homes from the road all make the retention of trees very difficult.

It is not considered appropriate to retain trees that will be so compromised by the works around them that they eventually die and have to be replaced. It is therefore accepted that the proposed tree removal and replacement with 159 new street trees is the best way forward. In accepting this it is imperative that the Council ensures the successful retention of the 34 existing trees and the successful long term establishment of new street trees. The protection of trees needs to be carried out effectively, a site monitoring schedule has been agreed to ensure successful tree retention and protection.

For the Cookworthy Road link the paths proposed near retained Limes must be hand dug to protect roots. The new street tree planting proposed is semi - mature small Leave Limes and Field Maples for the avenues. The Limes, in order to reach maturity and last for 60-70 years, will need adequate soil volume and therefore a Silva cell type system will be used beneath the parking areas to provide enough soil volume for the new trees to establish and thrive. Conditions shall be attached to any grant of planning permission to ensure that trees are successfully retained, protected and that re-planting and new planting is done properly.

Having worked closely with the applicant at pre-application stage and through the application the landscaping proposals can be supported and are deemed to be in accordance with Policy CS18 and the aims of the North Prospect APS.

In terms of the hard landscaping works a number of different materials are proposed which are considered to be consistent with the character of development. Feature paving at junctions and thresholds will be used to create a sense of arrival and subdivide streets. A mixture of paving and macadam surface finishes are proposed to the carriageway, with parking areas delineated in smaller parking units. The materials proposed are deemed to be acceptable and therefore accord with Policy CS02.

Design and Materials

The buildings would be predominantly render with warmer and stronger colours used in the lanes and more mellow natural tones used in the Avenues. In more highly trafficked areas, such as those around doors and at some gables where there is street frontage a reconstituted stone is proposed as this will be more hard wearing. At key landmark locations a natural stone is used to create gateway features - specifically the flat blocks to Cookworthy Green and North Prospect Road. Windows are typically proposed as white uPVC, with grey uPVC to frontages along the lanes and Cookworthy Green to contrast with their stronger colours and connect with the window frame colour of the hub.

While the preference would be to have all houses with grey windows, doors and fenestration to reflect that shown in the bid documents and initial masterplan, the proposals to have grey fenestration to housing along key routes is accepted and therefore the proposal is deemed to accord with Policy CS02.

Amenity of proposed/ existing dwellings

Not all units would be of a size that complies with the guidance given in the Development Guidelines SPD and the Council has expressed concern at this. As a result of negotiations with the applicant, there have been amendments to the proposals so that the number of units complying with the guidance has been increased to 62%. Some of these fall short of the guidance by a minimal amount and all the remaining units that do not comply would meet the Homes and Communities Agency size guidelines. Therefore while your officers would like to see more units meeting guidance given in the SPD, given that the units meet HCA standards it is not considered reasonable to refuse the application on this basis.

84% of the dwellings proposed would comply with the amenity space guidelines in our Development Guidelines SPD so although some would fall short of this standard some would be larger and therefore it is deemed that a suitable mix of garden sizes will be provided.

No overlooking or loss of light would be caused to any existing dwelling; most of the housing would be positioned no closer to existing housing than is currently the case. The exception to this is the two houses located in what is currently a car park to the west of Grassendale Avenue. Existing housing to the north would be over 12m away (window to window) however housing to the west would be less than 10m away ...

The only other proposed dwellings that would be closer to existing housing would be that adjacent to Bullied Close, however given the high stone wall to the rear of these properties they would be largely unaffected by the new housing.

Most of the new housing meets the standards given in the Development Guidelines SPD, where this isn't the case the dwellings have been carefully designed to ensure that the window placement and levels do not result in any direct overlooking or a significant loss of light to any property.

The proposals are therefore considered to comply with policies CS15 and CS34.

Housing Tenure

Detailed pre-application discussions have taken place with the developers and Plymouth Community Homes to agree the numbers, type and distribution of the new social/affordable rented, shared ownership and open market units.

The housing mix proposed represents an attempt to balance the need to provide re-housing for those in future phases of development affected by demolition, the need to achieve a level of ownership and sales on the estate in line with strategic aims, and also to some extent those in need of social or affordable rent on the city's housing register.

The proposed development on this site envisages the following:

Open Market housing: 173 units (50%)

Social and Affordable Rent - 118 units (34%)

Shared Ownership – 57 units (16%)

Total Affordable Housing: 174 (50%)

Total All Housing- 347 units (100%)

This proposed overall tenure mix is in line with the strategic aim of rebalancing tenure towards various forms of homeownership envisaged in the Spatial Strategy (Levitt Bernstein 2010) and the North Prospect Area Planning Statement (August 2012) for the neighbourhood and is therefore welcomed.

The proposed split between social/affordable rent and shared ownership units is supported, given that it complies with the guidance laid out in the Planning Obligations and Affordable Housing SPD, and the recommendations of the Plymouth Housing Market Needs Assessment (2006), both of which require a split of all affordable units between social/affordable rented units (60%) and shared ownership or intermediate units (40%). In the case of this application the tenure split is 67% social/affordable rented and 33% shared ownership, and therefore is approximately in line with this guidance.

Clusters of property of any one tenure have for the most part been located in groups of less than 12 units in line with the Planning Obligations and Affordable Housing SPD and are indistinguishable in design terms from open market properties in line with CS15 planning policy. The only exception to this general clustering rule is the block of 14 social/affordable rent flats overlooking Cookworthy Green. This is in excess of what we would normally want to support as a general needs rented block, 8-10 flats as a maximum in any one block would be preferable. However on balance, given the well integrated tenure distribution achieved across the rest of the site, and the need to create some development value by maintaining a reasonable level of density, the overall mix is supported.

19% of all affordable rented units have been designated as social rent under an agreement reached between PCH and the Council. The percentage of social rent has decreased from that originally proposed, the reason for this is that although the Council would prefer to see more social rent properties, by providing 8 more affordable rent units the applicant are able to make a much needed education contribution, due to the additional rental income that would be achieved. The Council are keen to mitigate the impact of higher affordable rent levels in the new development for those who will need to be decanted from property in future phases in order to maintain affordability as far as possible under the new grant regime introduced by the current Government. Despite agreeing to 8 more affordable rent units the mix is deemed acceptable. The locations of the social and affordable rent products are yet to be considered, however it will be incorporated into the S106 that this must be discussed and agreed with the Planning Department at least 6

months prior to occupation. The aim will be to ensure that the more affordable (social rent) units are well distributed across the estate, rather than being concentrated into one location.

The property type distribution has also been the subject of negotiation with the developers and we are pleased that they have responded to pre-application advice by ensuring that the larger family houses, 4 and 5 bedroomed houses in particular have been well distributed across the whole site and located where possible close to areas of green or open space. This should help reduce the number of children living and playing in any one area, thereby easing any possible impacts on resident quality of life.

Given the above the Local Planning Authority are satisfied that the proposals comply with Policy CS15.

Drainage

A Flood Risk Assessment and Surface and Foul Water Drainage Strategy were submitted with the application.

It is proposed that development of the site will direct all run-off from impervious areas into a positive drainage system that will discharge into the existing surface water sewers located in Grassendale Avenue and Wolseley Road.

To deal with the surface water run off, the drainage strategy will comprise of underground pipe work, attenuation in the form of box culverts and a large storage tank located under Cookworthy Green with flow controls and discharge to South West Water's surface water sewers.

The Flood Risk Assessment (FRA) sets out a proposal to manage storm flows by providing attenuated discharge into the southwest water surface water sewer. This is considered acceptable; however, the Environment Agency require a detailed design to confirm the exact routes of this discharge, this shall be secured by condition. Overall there appears to be sufficient flexibility in the system to allow this aspect to be confirmed during the detailed design

South West Water has confirmed that there is capacity within the infrastructure to serve the development proposal and these proposals are therefore deemed to comply with Policy CS21

Sustainability

Photo voltaic panels are proposed on the buildings which are predicted to result in emissions reductions of 168 tonnes per annum, equal to just under 18% of the development total.

Whilst the HCA 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.

The renewable energy created from the proposed PV panels would exceed the 15% requirement in Policy CS20 and therefore your officers are supportive of this approach.

Lifetime homes

Policy CS15 requires that 20% of all new dwellings for Plymouth shall be constructed to Lifetime Homes standards. Lifetime Homes allow for the 'future proofing' of all new dwellings and should be considered desirable in all cases. In this case it is the aim of the development for 100% of the affordable housing to achieve Lifetime Homes compliant. If achieved this would represent 50% of the development and be well in excess of planning policy CS15 and therefore can be supported.

Ecology and Biodiversity

A number of surveys were submitted with the application including a protected species survey of the buildings, Reptile Habitat Suitability Assessment and Reptile Translocation Survey. Recommendations from these surveys formed the basis for a Mitigation and Enhancement Strategy.

Enhancements proposed include the planting of ecological habitats such grassland, shrub, native hedgerow and native trees as well as bird boxes and bat bricks on new buildings. This would ensure that protected species are safeguarded and delivers net biodiversity gain as required in policy CS19.

Highway Considerations

The Local Highway Authority supports the proposals following extensive pre-application discussions.

A Strategic Transport Assessment (TA) has been produced for the full North Prospect regeneration plan which sets out the strategy for the wider proposals of the area so that any implications to the highway network can be established. As such a separate TA has been submitted to support this application which draws down the relevant information and strategic views and objectives of the Strategic TA. To this end phased mitigation can be determined to ensure that individual phases make an apportioned contribution accordingly to overcome the traffic impacts generated by the masterplan. The TA has assessed a number of junctions which are likely to be affected by development trips. Development trips from this phase will impact on North Prospect Road and Wolseley Road.

All junctions tested have been shown to operate with little or no impact except for the signalised junction at North Prospect Road and Beacon Park Road. This junction shows high capacity and also long queue lengths of over 10 vehicles on numerous arms. Mitigation is therefore required. The agent suggested that by reducing the number of pedestrian calls to the signal timings the capacity, and subsequently the development impacts, can be reduced within acceptable limits. This is not deemed an acceptable solution, as pedestrian movements should be encouraged not reduced. Therefore the developer is required to fund or implement a scheme to provide a MOVA traffic control system at the junction which will produce capacity improvements of 10-15%. The pedestrian environment at this junction is poor and localised improvements will also be required, which will compliment the traffic signal improvements as a complete package. The applicant has been advised of the

requirement and has agreed to provide the works themselves as a planning obligation.

The scheme will also benefit the wider regeneration of the North Prospect area by way of reducing vehicle queuing and subsequent pollution, it will also enhance the pedestrian offer towards the existing and proposed facilities in and around Wolseley Road. A series of North-South links will be provided to pedestrian friendly routes across the site. Floyd Close will be upgraded but its junction to Foliot Road will remain closed to vehicles. 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, the local school on Ham Drive and the new community hub, provided as part of the Phase 1 consent (currently under construction). The estate roads will reflect the principles of home zones, shared surface and standard street forms.

The introduction of lanes will connect North Prospect Road to Cookworthy Green at the lower end of the site. The entire site has been designed to a 20mph speed limit. The existing highway network is subject to a 20mph zone which is enforced by vertical speed reducing features. The new estate design will 'design out' such bolt-on features and by way of horizontal deflections and surface treatments the speed can be controlled.

The development as a whole will provide strong linkages towards the enhanced park off Grassendale / Cookworthy Road with the aim to encourage pedestrian movements into the park. The existing parking provision through the estate is poor but car ownership levels had been determined through the Masterplan and they are generally lower (0.74 cars per house on average) than other parts of the City. In order to ensure that the new development complies with current standards, and also meets the likely parking demand for a residential development of this size, the applicant is proposing a parking ratio of 1.72 spaces per unit on average across the development. This provision conforms to the current Policy parking requirements. There are no dwellings without any parking provision. All units will have at least 1 allocated parking space. Each dwelling will also have a dedicated space for at least 1 bike.

The North Prospect Masterplan provided a Framework Travel Plan and each phase will be required to produce a Travel Plan in accordance with the framework. A Travel Plan for Phase 2 has been submitted and the applicant will be required to work with the City Council Travel Plan Officers throughout the life of the Travel Plan. It should be noted that the Travel Plan covers the whole of the development and not just the increase in properties. As such it will have benefits for the wider community.

To sum up the transport issues, the proposed improvements for pedestrians and vehicles, would provide significant benefits to the community. Phase 2 will compliment the Phase 1 development and will connect well with the surrounding highway network. The improved pedestrian environment throughout the estate will encourage sustainable travel and provide valuable links to local facilities and public transport services. The proposals are therefore considered to comply with Policy CS28 and the draft North Prospect APS.

Letters of Representation

The letters of representation received refer to the building of two houses on the car park located to the west of Grassendale Avenue. The fear is that it would result in a loss of parking to existing residents and would cause problems to the sewerage pipe below. Two dwellings have been proposed in this part of the site so as to provide a continuous frontage and surveillance all the way along this part of Grassendale Avenue. The current situation has a parking court with the rear garden walls of existing houses facing onto it. The current lack of security is made apparent by the need to install security wire to the tops of these existing walls, it is considered that the proposals will improve this environment. The parking spaces have been re-provided directly adjacent to their existing location. Whilst the number of parking spaces is less than the existing, PCH have confirmed that the provided spaces will be adequate for those used by residents off site. Access to the rear of all properties would be retained in the proposal.

Another concern raised relates to the way PCH have gone about purchasing homes however this is not a material planning consideration.

Section 106 Obligations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £986,089 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Planning obligations have been sought in order to help mitigate the infrastructure impacts of the development and satisfy the policy requirements for the proposal, pursuant to Core Strategy Policy CS33 and the Planning Obligations & Affordable Housing Supplementary Planning Document.

The usual approach to considering the impacts of development are not deemed appropriate in this case. North Prospect needs to be considered as a whole, with each development phase contributing its part to building a sustainable community.

The draft APS has already identified the key infrastructure needs in the area such as the need to address open space deficiencies, drainage requirements and school capacity problems. Some of these can be delivered through scheme design (eg surface water management), others may be provided for through direct works secured in a S106 agreement (eg public open space improvements), and others may require use of pooled contributions through S106 (including transport improvements, school capacity improvements, public realm and infrastructure improvements such as playing pitches which would need to be delivered outside of N Prospect).

In this context, it is appropriate to take a more bespoke approach to the S106 process, rather than focusing on a standard list of infrastructure contributions. Phase

1 of the development has already provided for the delivery of the community hub which provides a library, office space, retail and a nursery.

The priority infrastructure improvements needed in relation to Phase 2 are deemed to be open space improvements and contributions to resolve school capacity problems. This would deal with the open space deficiencies identified in the draft APS and provide contributions towards the future expansion of local schools therefore removing objections from our Education Department.

There will be impacts to other infrastructure areas however it is not possible to provide full mitigation for this through this phase. The applicant has submitted a viability assessment which demonstrates that the scheme is unviable. Therefore, although some contributions have also been secured towards playing pitches, strategic sports facilities as well as addressing our legal obligations in relation to impacts on the European Marine Site, Phases 3- 5 will need to make sure that any outstanding infrastructure needs identified in the APS are met, in order to ensure that the regeneration of North Prospect delivers a sustainable community.

Given the above assessment the following heads of term have been agreed by the applicant, 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:

Local Infrastructure

- a. Local schools: £116,000 to be allocated to the provision of additional school places within the vicinity of the application site.
- b. Playing pitches: £17,750 to be allocated to the provision of improved playing pitch facilities in the South sub-area, as identified in the Playing Pitch Strategy.

Strategic Infrastructure

- c. European Marine Site: £750 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.
- d. Strategic sports facilities: £11,500 to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

The other agreed mitigation is:

- e. The provision of 174 affordable housing units. The type, size and location will be finalised as part of the section 106 agreement.
- f. £160,000 towards upgrading Cookworthy Green specifically in accordance with the proposals in the Design and Access Statement, this includes creation of an enclosed play space for under 8's, an open play space for older children and retention and enhancement of the existing MUGA.
- g. Provision of a MOVA traffic control system and pedestrian crossing improvements as required at the junction of North Prospect Road and Beacon Park Road. Should the works cost less than £70,000 the remaining amount shall be paid to the Council

and allocated to the delivery of schemes identified in the LTP3 Transport Implementation Plan.

The applicant has also agreed to a clawback provision, therefore if the scheme does become viable in the future further contributions will be made to the Council.

Each planning obligation sought has been tested to ensure that it complies with the three tests set out in Regulation 122 of the Community Infrastructure Levy Regulations April 2010.

Equalities & Diversities issues

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.

The steep gradients on the site do create some challenges at this location. A direct pedestrian route through the site, known as Cookworthy Lane could be used by mobility scooters which is a positive feature of the proposed development.

Conclusions

This scheme is the second 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 with many built to lifetime homes standard.

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.

The applicant has agreed to much needed works to Cookworthy Green which will provide major community benefits, the application also of course makes a significant contribution towards achieving the Council's priority objective of providing better and more affordable housing. Taking into account the over-provision of certain community elements at the Community Hub in Phase I and the over provision of open space improvements proposed in this Phase 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 contributions.

Therefore having taken into account the above, the Local Planning Authority have concluded that the benefit had to local people, the North Prospect community and the City as a whole are significant and for these reasons the application is

recommended for conditional approval subject to the signing of the S106 agreement, with delegated authority to refuse if the S106 is not signed by 31st January 2013.

Recommendation

In respect of the application dated **08/08/2012** and the submitted drawings NPP2 - AL02 010 - Masterplan, NPP2 - AL02 011 - Location and Demolition, NPP2 - AL02 012 - Phasing, NPP2 - AL02 013 - Tenure, NPP2 - AL02 014 - Private Amenity Space, NPP2 - AL02 015 - Roof orientation, NPP2 - AL02 016 - Existing Trees Removal and Retention, NPP2 - AL02 017 - Proposed Replacement Tree Planting
NPP2 - AL02 018 - Ecology Strategy Diagram, NPP2 - AL02 020 A - Street Elevation 1, NPP2 - AL02 021 - Street Elevation 2, NPP2 - AL02 022 - Street Elevation 3, NPP2 - AL02 023 A - Street Elevation 4, NPP2 - AL02 024 - Street Elevation 5, NPP AL02 062 - (Phase 2) Overlooking Study 1, NPP AL02 063 - (Phase 2) Overlooking Study 2, NPP AL02 064 - (Phase 2) Overlooking Study 3, NPP AL02 065 - (Phase 2) Overlooking Study 4, NPP AL02 066 - (Phase 2) Overlooking Study 5, NPP AL02 067 - (Phase 2) Overlooking Study 6
NPP AL02 068 - (Phase 2) Overlooking Study 7, NPP AL02 069 - (Phase 2) Overlooking Study 8, NPP AL02 070 - (Phase 2) Overlooking Study 9
NPP AL02 071 - (Phase 2) Overlooking Study 10, NPP2 AL02 100 AF-T3S Plan
NPP2 AL02 101 AF-T3S Elevation, NPP2 AL02 103 AF-Landmark 00 Gr, NPP2 AL02 104 AF-Landmark 01 st, NPP2 AL02 105 AF-Landmark 02 nd, NPP2 AL02 106 AF-Landmark 03 Roof, NPP2 AL02 107 AF-Landmark Elevations, NPP2 AL02 109 AH-T20 Plan, NPP2 AL02 110 AH-T20 Elevation, NPP2 AL02 112 AH-T22 Plan
NPP2 AL02 113 AH-T22 Elevation, NPP2 AL02 116 AH-T24 Plan, NPP2 AL02 117 AH-T24 Elevation, NPP2 AL02 119 AH-SL7 Plan, NPP2 AL02 120 AH-SL7 Elevation, NPP2 AL02 122 AH-P Plan, NPP2 AL02 123 AH-P Elevation
NPP2 AL02 125 AF Cookworthy Green Block 01 - 00 Gr, NPP2 AL02 126 AF Cookworthy Green Block 01 - 01 st, NPP2 AL02 127 AF Cookworthy Green Block 01 - 02 nd, NPP2 AL02 128 APF Cookworthy Green Block 01 - 03 Roof
NPP2 AL02 129 AF Cookworthy Green Block 01 - Elev, NPP2 AL02 135 PF Cookworthy Green Block 02 - 00 Gr, NPP2 AL02 136 PF Cookworthy Green Block 02 - 01 st, NPP2 AL02 137 PF Cookworthy Green Block 02 - 02 nd, NPP2 AL02 138 PF Cookworthy Green Block 02 - 03 Roof, NPP2 AL02 139 PF Cookworthy Green Block 02 - Elev, NPP2 AL02 145 AF Cookworthy Green Block 03 - 00 Gr
NPP2 AL02 146 AF Cookworthy Green Block 03 - 01 st, NPP2 AL02 147 AF Cookworthy Green Block 03 - 02 nd, NPP2 AL02 148 AF Cookworthy Green Block 03 - 03 Roof, NPP2 AL02 149 AF Cookworthy Green Block 03 - Elev
NPP2 AL02 151 PF-Escombe Plan, NPP2 AL02 152 PF-Escombe Elevation
NPP2 AL02 155 PH-Oke Plan, NPP2 AL02 156 PH-Oke Elevation
NPP2 AL02 160 PH-Onyx Plan, NPP2 AL02 161 A PH-Onyx Elevation
NPP2 AL02 165 PH-Opal Plan, NPP2 AL02 166 A PH-Opal Elevation
NPP2 AL02 170 PH-Tiverton Plan, NPP2 AL02 171 PH-Tiverton Elevation
NPP2 AL02 175 PH-Barwick Plan Front Entrance, NPP2 AL02 176 PH-Barwick Elevation Front Entrance, NPP2 AL02 177 PH-Barwick Plan Side Entrance
NPP2 AL02 178 PH-Barwick Elevation Side Entrance, NPP2 AL02 180 PH-SLI Plan
NPP2 AL02 181 PH-SLI Elevation, NPP2 AL02 185 PH-Morpeth Plan
NPP2 AL02 186 PH-Morpeth Elevation, NPP2 AL02 190 PH-Helmsley Plan
NPP2 AL02 191 PH-Helmsley Elevation, 3642-P2-LS01 - Lane Longitudinal Sections (A1), 3642-P2-RD01 - Proposed Refuse Disposal (A0), 3642-P2-SL01 - Proposed

Slab Levels (A0), Design & Access Statement, Transport Assessment prepared by Healers; Flood Risk Assessment prepared by Healers; Ecological Impact Assessment prepared by EAD; A Desk-Based Archaeological Assessment prepared by AC Archaeology; Statement of Community Involvement prepared by Remarkable; Air Quality Assessment prepared by Scott Wilson; Energy Statement and Code for Sustainable Homes Assessment prepared by Brooks Devlin; Contaminated Land Assessment prepared by Healers; and Arboricultural Constraints Report prepared by JP Associates.,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 31st January 2013**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2)The development hereby permitted shall be carried out in accordance with the following approved plans::NPP2 - AL02 010 - Masterplan, NPP2 - AL02 011 - Location and Demolition, NPP2 - AL02 012 - Phasing, NPP2 - AL02 013 - Tenure, NPP2 - AL02 014 - Private Amenity Space, NPP2 - AL02 015 - Roof orientation, NPP2 - AL02 016 - Existing Trees Removal and Retention, NPP2 - AL02 017 - Proposed Replacement Tree Planting, NPP2 - AL02 018 - Ecology Strategy Diagram, NPP2 - AL02 020 - Street Elevation 1, NPP2 - AL02 021 - Street Elevation 2, NPP2 - AL02 022 - Street Elevation 3, NPP2 - AL02 023 - Street Elevation 4, NPP2 - AL02 024 - Street Elevation 5, NPP AL02 062 - (Phase 2) Overlooking Study 1, NPP AL02 063 - (Phase 2) Overlooking Study 2, NPP AL02 064 - (Phase 2) Overlooking Study 3, NPP AL02 065 - (Phase 2) Overlooking Study 4, NPP AL02 066 - (Phase 2) Overlooking Study 5, NPP AL02 067 - (Phase 2) Overlooking Study 6, NPP AL02 068 - (Phase 2) Overlooking Study 7, NPP AL02 069 - (Phase 2) Overlooking Study 8, NPP AL02 070 - (Phase 2) Overlooking Study 9, NPP AL02 071 - (Phase 2) Overlooking Study 10, NPP2 AL02 100 AF-T3S Plan, NPP2 AL02 101 AF-T3S Elevation, NPP2 AL02 103 AF-Landmark 00 Gr, NPP2 AL02 104 AF-Landmark 01 st, NPP2 AL02 105 AF-Landmark 02 nd, NPP2 AL02 106 AF-Landmark 03 Roof, NPP2 AL02 107 AF-Landmark Elevations, NPP2 AL02 109 AH-T20 Plan, NPP2 AL02 110 AH-T20 Elevation, NPP2 AL02 112 AH-T22 Plan, NPP2 AL02 113 AH-T22 Elevation, NPP2 AL02 116 AH-T24 Plan, NPP2 AL02 117 AH-T24 Elevation, NPP2 AL02 119 AH-SL7 Plan, NPP2 AL02 120 AH-SL7 Elevation, NPP2 AL02 122 AH-P Plan, NPP2 AL02 123 AH-P Elevation, NPP2 AL02 125 AF Cookworthy Green Block 01 - 00 Gr, NPP2 AL02 126 AF Cookworthy Green Block 01 - 01 st, NPP2 AL02 127 AF Cookworthy Green Block 01 - 02 nd, NPP2 AL02 128 APF Cookworthy Green Block 01 - 03 Roof, NPP2 AL02 129 AF Cookworthy Green Block 01 - Elev, NPP2 AL02 135 PF Cookworthy Green Block 02 - 00 Gr, NPP2 AL02 136 PF Cookworthy Green Block 02 - 01 st, NPP2 AL02 137 PF Cookworthy Green Block 02 - 02 nd, NPP2 AL02 138 PF Cookworthy Green Block 02 - 03 Roof, NPP2 AL02 139 PF

Cookworthy Green Block 02 - Elev, NPP2 AL02 145 AF Cookworthy Green Block 03 - 00 Gr, NPP2 AL02 146 AF Cookworthy Green Block 03 - 01 st, NPP2 AL02 147 AF Cookworthy Green Block 03 - 02 nd, NPP2 AL02 148 AF Cookworthy Green Block 03 - 03 Roof, NPP2 AL02 149 AF Cookworthy Green Block 03 – Elev, NPP2 AL02 151 PF-Escombe Plan, NPP2 AL02 152 PF-Escombe Elevation, NPP2 AL02 155 PH-Oke Plan, NPP2 AL02 156 PH-Oke Elevation, NPP2 AL02 160 PH-Onyx Plan, NPP2 AL02 161 PH-Onyx Elevation, NPP2 AL02 165 PH-Opal Plan, NPP2 AL02 166 PH-Opal Elevation, NPP2 AL02 170 PH-Tiverton Plan, NPP2 AL02 171 PH-Tiverton Elevation, NPP2 AL02 175 PH-Barwick Plan Front Entrance, NPP2 AL02 176 PH-Barwick Elevation Front Entrance, NPP2 AL02 177 PH-Barwick Plan Side Entrance, NPP2 AL02 178 PH-Barwick Elevation Side Entrance, NPP2 AL02 180 PH-SLI Plan, NPP2 AL02 181 PH-SLI Elevation, NPP2 AL02 185 PH-Morpeth Plan, NPP2 AL02 186 PH-Morpeth Elevation, NPP2 AL02 190 PH-Helmsley Plan, NPP2 AL02 191 PH-Helmsley Elevation, 3642-P2-LS01 - Lane Longitudinal Sections (A1), 3642-P2-RD01 - Proposed Refuse Disposal (A0), 3642-P2-SL01 - Proposed Slab Levels (A0).

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.

LAND QUALITY

(3) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 4 to 7 have been complied with. If unexpected contamination is found after development has begun, development must 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 7 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 development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SITE CHARACTERISATION

(4) 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,
- groundwater's and surface waters,
- ecological systems,
- archaeological 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 to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SUBMISSION OF A 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 to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(6) 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 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 to avoid conflict with Policy CS22 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 to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

WHEEL WASHES

(8) Details of wheel washing facilities for construction traffic connected with the development hereby permitted shall be submitted to and approved by the Local Planning Authority and shall be installed before the development hereby approved is first commenced, and once installed such facilities shall be used at all times to prevent mud and other debris being deposited on the highway(s) during the construction of the development hereby permitted.

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.

ROAD SWEEPING

(9) The roads surrounding the site must be kept free of all mud and other debris originating from the site or construction vehicles associated with the site, at all times during the development hereby permitted. Road sweepers must be deployed throughout the day as necessary to ensure that mud and debris does not accumulate and create dust.

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.

CODE OF CONSTRUCTION

(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.

STREET DETAILS

(11) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all NEW 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

(12) 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 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

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

SUSTAINABILITY

(14) Unless otherwise approved in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved Ecological Mitigation and Enhancement Strategy dated July 2012. In addition, a Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation detailing how the ecological features of the site will be managed in perpetuity.

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 the NPPF.

BIODIVERSITY

(15) Unless otherwise approved in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved Ecological Mitigation and Enhancement Strategy dated July 2012. In addition, a Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation detailing how the ecological features of the site will be managed in perpetuity.

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 the NPPF.

SURFACE WATER MANAGEMENT

(16) 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 for 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.

ARBORICULTURAL METHOD STATEMENT

(17) The Arboricultural Method Statement (Ref:D2 48 02), including site monitoring, dated July 2012 must be implemented in full in order to successfully retain the existing trees.

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.

EXISTING TREES/HEDGEROWS TO BE RETAINED/PROTECTED

(18) 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 commencement of 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 barriers and ground protection for the protection of any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars. Tree Protection Plan no's D2 48 PI Rev A (1 of 2 and 2 of 2) 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 levels 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.

ACCESS (CONTRACTORS)

(19) 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

(20) 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 PROVISION

(21) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for at least 1 bicycle per dwelling to be parked. Each cycle store shall be secure and covered.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTINGUISHMENT OF HIGHWAY

(22) The construction of the development hereby permitted shall not commence until such time that an application under the provisions of Section 247 of the Town and Country Planning Act has been made to the Government Office to extinguish the highway rights along lengths of highway as required and the cul-de-sac streets off Woodville Road and Foliot Road to facilitate the new road layout and associated widths. No construction will be permitted on any part of the highway until such time that the process to extinguish has been completed.

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.

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS) - Overdale Road

(23) No dwelling, hereby permitted, shall be occupied until the improvements to Overdale Road to form a two-way street, in accordance with the requirements set out in the planning consent for phase I of the North Prospect regeneration programme, have been completed.

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.

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS- JUNCTION IMPROVEMENTS)

(24) No dwelling hereby permitted shall be occupied until the proposed junction improvements for the provision of MOVA traffic control signalisation and pedestrian crossing enhancements to the existing highway at the junction of North Prospect Road and Beacon Park Road are completed, in accordance with plans to be submitted to and approved in writing by the Local Planning Authority.

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.

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENT- SECTION 278 AGREEMENT)

(25) No development or alterations shall commence on any part of the Publicly Maintained Highway Network, within the entire development boundary, until such time that the applicant enters into a Section 278 Agreement with the Highway Authority. The proposed alterations and improvements to the existing highway,

shown on the approved plans, shall be completed prior to occupation of any dwelling it thereby serves.

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.

TRAVEL PLAN

(26) A comprehensive Travel Plan will be developed for all elements of the development hereby permitted. The acceptability of the travel plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport), in advance of occupation of the development.

The Travel Plan will need to be prepared in line with the prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift.
- The methods to be employed to meet these targets.
- The mechanisms for monitoring and review.
- The mechanisms for reporting.
- The mechanisms for mitigation.
- Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews.

A review of the targets shall be undertaken within 3 months of occupation of the development, and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

Reason:

In the interests of highway safety, the efficient operation of the local and trunk road networks, and to safeguard the amenities of neighbouring residents in accordance with policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021).

HISTORIC INVESTIGATION AND RECORDING

(27) No part of the development allowed by this permission shall commence until the applicant has completed a buildings recording programme according to a written scheme of investigation which has been submitted to, and approved by, the Local Planning Authority.

Reason:

To ensure an archival record of destroyed building types and to accord with the provisions of Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

RENDER SAMPLES

(28) No render shall be installed until render samples 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.

LANDSCAPE MANAGEMENT PLAN

(29) 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

(30) 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.

LIFETIME HOMES

(31) 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.

SUSTAINABILITY

(32) 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 final report 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 the NPPF.

INFORMATIVES:

SECTION 38 AGREEMENT

(1) Any of the roadworks included in the Application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980.

WORKS WITHIN THE HMPE

(2) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The Applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate Permit must be obtained before works commence.

HIGHWAY ENGINEERING DETAILS

(3) Any of the roadwork's included in the Application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980.

WORKS PERMIT

(4) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The Applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate Permit must be obtained before works commence.

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, the impact to the character of the area and the needs of the community, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport
PPS3 - Housing
PPS1 - Delivering Sustainable Development
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
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
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
NPPF - National Planning Policy Framework March 2012