

PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 12/02000/FUL

Applicant: Select Developments Ltd

Description of Application: Re-develop site by erection of 22 new dwellings (16 houses and 6 flats) with associated access, parking and refuse storage (demolition of existing building)

Type of Application: Full Application

Site Address: THE CORNWALL GATE, 71 NORMANDY WAY
PLYMOUTH

Ward: St Budeaux

Valid Date of Application: 19/11/2012

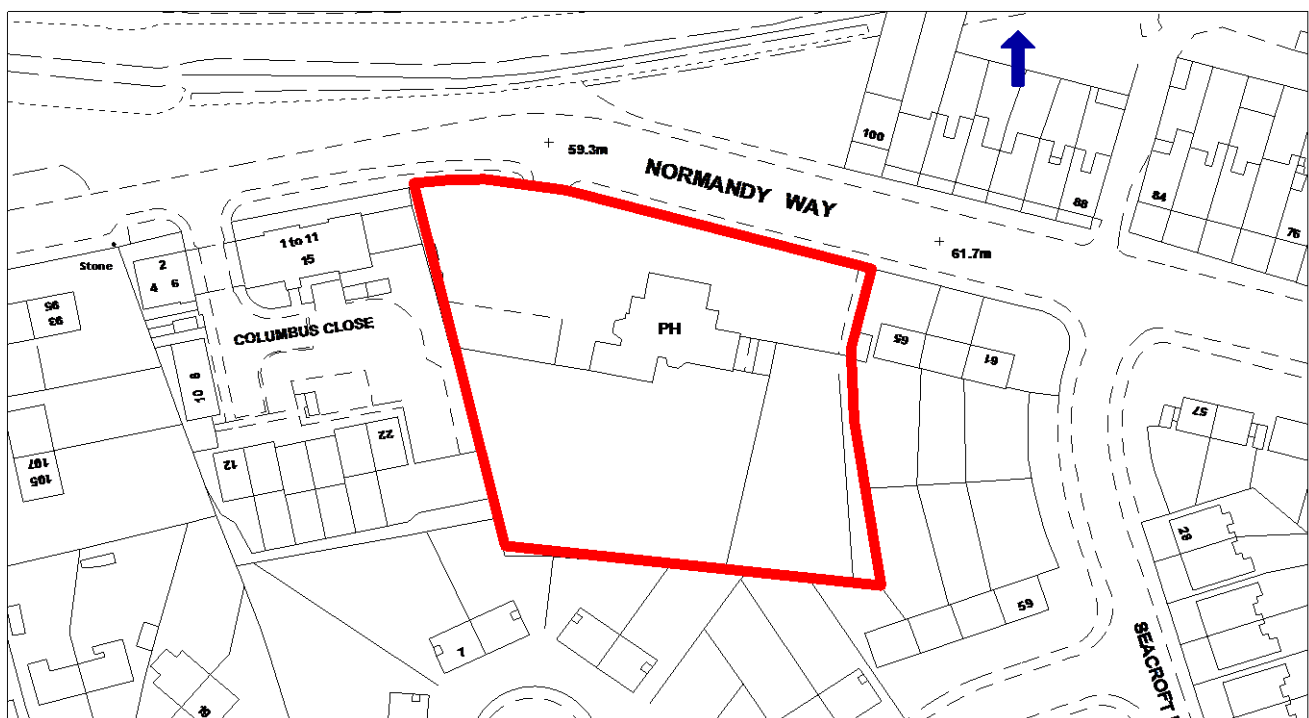
8/13 Week Date: **18/02/2013**

Decision Category: Major - more than 5 Letters of Representation received

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 15th February 2013.

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Site Description

The site is located within the established residential area of St Budeaux, on the south side of a street called Normandy Way. There is an existing building on the site that has been derelict for a number of years now and was formerly the Cornwall Gate Public House.

The topography is varied and the land falls away fairly steeply in places from north to south, from the front of the site on Normandy Way towards the rear boundary of the site. The site occupies an area of 0.4 Hectares and has an existing vehicular access from Normandy Way. There are a number of protected trees on the site, mainly adjacent to its south and west boundaries. The surrounding area is characterized by residential development.

Proposal Description

It is proposed to redevelop the site by erecting 22 new dwellings (16 houses and 6 flats) with associated access, parking and refuse storage. It is also proposed to demolish the existing Public House.

The proposed development creates a frontage to Normandy Way with 9 plots located along the northern boundary of the site, facing Normandy Way and either side of a new vehicular entrance to the site. A further 11 plots are positioned within the site, forming an L shaped terrace adjacent to the south and east boundaries of the site. The western boundary is characterised by mature trees and planting and this is retained with no development proposed along the western boundary.

Car parking and a turning area is proposed within the centre of the site, with further car parking in the north-west corner adjacent to the proposed terrace alongside the front of the site, which utilises the existing site access. The proposed development is mainly traditional 2 storey with some 3 storey units proposed along the northern boundary facing Normandy Way.

Pre-Application Enquiry

MA/475/PRE – advice given with regards to the proposal for 22 new dwellings. Some issues raised regarding trees but advice generally positive.

Relevant Planning History

None.

Consultation Responses

Highways Officer

Recommend approval subject to conditions.

Public Protections Service

Recommend approval subject to conditions.

Police Architectural Liaison Officer
No objections

CAMRA
Response pending

Representations

Seven letter of representation received, objecting to the application on the following grounds:

1. Loss of habitat and species.
2. Loss of residential amenity to nearby property occupiers.
3. Not in keeping with design of existing houses in the area.
4. Loss of trees.

Analysis

As stated above, this application proposes a residential development containing 22 new dwellings (16 houses and 6 flats) with associated access, parking and refuse storage. It is also proposed to demolish the existing Public House.

Main Issues

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 and impact upon the surrounding highway network. These issues will now be addressed in turn:

Principle of Development and Density

The site is located within an established residential area and is not constrained by any restrictive planning policies. It does not lie within a Conservation Area although there are a number of protected trees on the site. The structure of the former Cornwall Gate pub still remains on the site but this has been vacant now for a number of years and is proposed to be demolished to enable the site to be redeveloped. It is considered that this proposal will ensure that a previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential.

With regards to planning policy, paragraph 10.25 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) states that *'In order to optimise the use of available sites and to reduce the pressure on Greenfield sites, the Government has set minimum density targets of between 30 and 50 dwellings per hectare. The priority will be on the re-use of previously developed sites'* and goes on to state that *'City Centre or urban sites can achieve quality development with densities significantly above the upper target level, as such sites would normally consist of flats and apartments'*. The proposal is considered to achieve these requirements and the development would ensure that a

previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential.

Concerning issues of density, the broad brush reference to a density of 30 – 50 dwellings per hectare (dph) within PPS3 has been superseded by guidance within the National Planning Policy Framework (NPPF) which states that Local Planning Authorities (LPAs) should set out their own approach to housing density to reflect local circumstances. Strategic Objective 10.2 aims to promote the highest density compatible with the creation of an attractive living environment. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre.

Proposed density levels at the site are consistent with the density levels in the immediate vicinity. Given the sustainable location of the site and the lack of demonstrable harm associated with the amount of development proposed the density is acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2.

Design and Layout

The NPPF attaches great importance to the design of the built environment. Core Strategy policy CS02 supports well designed developments to promote the image of the city through enhanced city and local gateway locations and key approach corridors. Policy CS34 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 area is defined by residential development that is mixed in character, with the majority of dwellings being terraced and semi detached. Whilst there is no prevailing style, the majority of dwellings in closest proximity to the site consist of post war housing that is unremarkable in terms of character and appearance. There is one exception to the surrounding context, where immediately to the west of the site exists a recently built redevelopment known as Columbus Close, which is an affordable housing site consisting of apartments. This is a 3 storey development that is modern in design and similar in layout to the development proposed within this application.

The proposed layout at the site has to a large extent been dictated by the location of the protected trees on the site and their root protection zones. The existing building line on the south side of Normandy Way, established by the existing properties adjacent to the east and west of the site, is respected with the proposed development presenting a street frontage onto Normandy Way with 11 plots being positioned at the front of the site overlooking the road. These include a central vehicular ground floor link through the proposed development into the site.

Within the site there are a further 11 properties arranged in an 'L' shape adjacent to the east and south boundaries of the site. The west boundary of the site is not proposed to be developed as this is where the area of protected trees is located. There are 2 main areas of parking proposed at the site, in the north-west corner

adjacent to Normandy Way where 13 car parking spaces are shown and within the central area of the site, where 18 car parking spaces are located.

The layout proposed is considered to be a positive response to the limitations of the site, which is constrained by the area of protected trees and the existing dwellings along the south and east boundaries of the site. The layout of the proposed development and orientation of the dwellings ensures that the established pattern of development along the south side of Normandy Way is respected and that a legible layout is created within the site, with all new dwellings either facing the street or the new communal courtyard and parking area, thus providing natural surveillance of all areas at the site that are not private. Devon and Cornwall Police's Police Architectural Liaison Officer has stated support for the development, and it is positive that there are no areas within the development where there is confusion about whether land is private or communal. The layout of the development is therefore considered acceptable and in accordance with Core Strategy policy CS02, CS34 and part 4 of the Design SPD.

Concerning issues of building design, the external appearance of the proposed development is relatively contemporary, similar to the recent Columbus Close development which occupies the neighbouring plot to the west of the site. The form of the proposed dwellings is mainly 2 storey with traditional pitched roofs and window arrangements. 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 with some use of Juliet balconies 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 some use of stone and minimal areas of timber cladding helps to break up the elevations and present an interesting façade to the development. The materials palette is respectful of the surrounding development whilst helping to introduce some minor contemporary features such as the Juliet balconies referred to above and generally the proposal is considered by officers to be in keeping with the character and identity of the context in which it sits.

The layout of the site and design of the proposed dwellings is considered acceptable. In summary, it is considered that the application will provide a positive addition to the streetscene and help to improve local visual amenity. It is therefore compliant with Policies CS01 (Development of Sustainable Linked Communities), CS02 (Design) and CS34 (Planning Application Consideration) of the Adopted 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 existing development to the site are the dwellings adjacent to the east of the site on Normandy Way and those to the south of the site on Loftus Gardens. Concerning the adjacent dwellings to the east on Normandy Way, the proposed dwellings are oriented so that they face in the same direction, ensuring that there is no direct amenity conflict with regards to overlooking. The separation distances in this part of the site are in accordance with the guidance contained within the Council's Adopted Development Guidelines SPD and there is thus it is considered by officers that there is no significant impact upon the dwellings to the east of the sites residential amenity standards.

There are properties to the south of the site on Loftus Gardens and Saltburn Road that share a boundary with the site. These will have a 'back to back' relationship with the proposed dwellings and the separation distances between them are in excess of the minimum separation distances outlined in the Council's Adopted Development Guidelines SPD, which is 21 metres. There is also mature planting along the southern boundary which will help to preserve existing properties residential amenities and ensure there is a good boundary screen.

The layout of the site has been arranged so that the relationships between the proposed dwellings within the site is considered acceptable and designed so that all new dwellings will benefit from adequate levels of residential amenity, in accordance with the guidance contained within the Council's Adopted Development Guidelines SPD. With regards to residential amenity standards, all of the proposed dwellings have private amenity space that in terms of area is considered acceptable. Bin stores and cycle storage are also included within the development, in accordance with the guidance contained within the Development Guidelines SPD. The application is therefore considered to be in accordance with Policies CS02 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007) and the guidance contained within the Development Guidelines SPD.

Highways Issues

Access to the site is proposed via a new entrance/exit point from Normandy Way, which provides vehicular access and pedestrian access into the site. The existing site access is proposed to be used to serve the parking area proposed in the north-west corner of the site. There are 2 main car parking areas within the site, the aforementioned area in the north-west corner and an area within the central part of the site. There is also some minimal curtilage parking.

The Council's Highways Officer has stated support for the proposal subject to conditions, stating that *'a parking provision of 1.6 off-street spaces per dwelling, on average, will be provided which complies with Policy requirements. The applicant also intends to provide cycle storage of 1 unit per dwelling, which should be controlled by way of a condition, should you be minded to grant in favour of the application.'*

'The majority of the proposed dwellings will be served by way of an adoptable estate road. The exact details of this access can be agreed through the standard conditions but the principle is acceptable. An existing entrance into the former car park will be upgraded to provide access to a parking area for 11 spaces. I would suggest that the footway be reinstated to a vehicle crossover, thus giving pedestrians priority. The footway along the site

frontage should be resurfaced and tactile paving installed across the new bell mouth to provide enhanced provision for pedestrians.'

Trees

There is a group Tree Preservation Order (TPO) at the site along the western boundary. This is not proposed to be developed and the proposed dwellings are all outside of the root protection zone. A couple of trees outside of the group TPO within the central area of the site are proposed to be removed to accommodate the development. These trees are not considered as valuable as those within the protected area and officers are satisfied that the most important trees at the site are retained and protected from future development.

Letters of Representation

The issues raised in the letters of representation received, which are listed in the Representations section of this report, are considered in the sections above, under the main analysis section of the report and under the relevant sub headings.

Affordable Housing

The application proposes 7 units to be provided as affordable housing at the site, equating to 30% of overall provision. This is in accordance with Policy CS15 (Overall Housing Provision) of the Core Strategy and is welcomed, as is the provision of 5 Lifetime Homes.

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. 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 adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

The applicants have submitted an Extended Phase I Habitat Survey Report. This has identified that the site is of low ecological value, there are no habitats of nature conservation importance at the site, no rare or protected plants, no evidence of badgers and very low chance of bats being present. The report has acknowledged that there is likely to be nesting birds in the trees covered by TPO but these are proposed to be retained by the proposal. Officers are in agreement with the findings of the report and stated that application is acceptable subject to a condition seeking details of biodiversity gain at the site. A condition is therefore attached requiring a Mitigation and Enhancement Strategy, which will ensure that the development achieves a net gain in biodiversity and is in accordance with Policy with Policy CS19 (Wildlife) of the Core Strategy.

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.

Section 106 Obligations

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 impacts relate to the following areas:

1. 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 a deficiency of school places in the locality given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £25, 250.
2. 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 £3, 300.
3. 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 £3, 530.
4. 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 £6, 855.
5. Local play space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing play facilities, most specifically through the need for play facility improvements. The estimated cost of mitigating this impact is £2, 255.
6. 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 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 £820, 000.

7. 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 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 £213.

8. 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 £3, 890.

9. 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 £662.

Other considerations

The applicants have asked for the application to be considered under the Council's Market Recovery Scheme, which allows reductions to the contributions required to mitigate the impacts of the proposal. The applicants have agreed to the Council's substantial start clause to ensure that the development is delivered quickly.

Recommended heads of terms

The Heads of Terms have been agreed with the applicant. This section sets out the agreed position. 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: £15, 450 to be allocated to the provision of additional school places within the vicinity of the application site.
- b. Playing pitches: £3, 650 to be allocated to the provision of improved playing pitch facilities in the Central and North Eastern sub-area, as identified in the Playing Pitch Strategy.
- c. Local Libraries: £1, 150 to be allocated towards the improvement of local library facilities.

d. Local green space: £1, 950 to be allocated to the provision of local green space in the area.

e. Childrens Play Space: £1, 100 towards the improvement of local play space.

f. European Marine Site: £105.00 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

f. Strategic sports facilities: £2, 666 to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

g. Public Realm: £342.00 to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.

h. Strategic green space: £4, 290 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.

i. The provision of 8 Affordable Housing units.

The applicant's provision of 8 affordable housing units is welcome. The type, size and location will be finalised as part of the section 106 agreement. The other agreed mitigation measures equate to £30, 703.

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.

Local Finance Considerations

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 £544,849 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.

Equalities & Diversities issues

The application provides a range of house types and will be available to all equality groups including affordable units suitable for young families and people on lower incomes. Properties will comply with Lifetime Homes standards suitable for people with disabilities and the elderly and frail.

Conclusion

This application will provide 22 new dwellings, including 8 affordable housing units and 5 Lifetime Homes. It is located within an established residential area and proposes a good standard of accommodation that will sit neatly within the existing streetscene, improving visual amenity and the character and appearance of the area.

Access and parking levels are acceptable and the development does not impact upon the residential amenities of any of the surrounding properties. The application is therefore recommended for approval subject to conditions and the completion of a Section 106 Agreement by the 15th February 2013, with delegated authority sought to refuse the application if the S106 is not signed by this date..

Recommendation

In respect of the application dated **19/11/2012** and the submitted drawings 833.01, 833.02, 833.03 Rev A, 833.04 Rev A, 833.05 Rev A, 833.06, 833.07, 833.08, 833.09, 833.10, 833.11, 833.12, 833.13, 833.14, 833.15, 833.16, 833.17 and accompanying Design and Access Statement, Ecology Report, Energy Report and Contaminated Land Report, 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 15th February 2013.**

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: 833.01, 833.02, 833.03 Rev A, 833.04 Rev A, 833.05 Rev A, 833.06, 833.07, 833.08, 833.09, 833.10, 833.11, 833.12, 833.13, 833.14, 833.15, 833.16, 833.17.

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.

CONTAMINATED LAND

(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 shall not take place until sections 1 to 3 of this condition 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 section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment 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
 - 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'.

Section 2. Submission of Remediation Scheme

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 shall 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.

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall 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 the replaced 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.

Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this

condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, 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 section 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(4) No development shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

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

ROAD ALIGNMENT AND DRAINAGE

(5) 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 dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

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

COMPLETION OF ROADS AND FOOTWAYS

(6) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition XXX above before the first occupation of the penultimate dwelling.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS

(7) 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.

DETAILS OF NEW JUNCTION

(8) No development shall take place until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason:

To ensure that an appropriate and safe access is provided 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

(9) 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.

PROVISION OF CYCLE STORAGE

(10) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building.

SURFACING OF FOOTWAY

(11) No dwelling hereby permitted shall be occupied until the proposed access and improvements to the existing highway, to include surfacing of the footway along the frontage of the site with vehicle crossing and tactile to bellmouth as required in accordance with plans to be submitted to and approved in writing have been completed.

Reason:

In the interests of highway and pedestrian safety.

CODE OF PRACTICE DURING CONSTRUCTION

(12) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BIODIVERSITY

(13) An Ecological Mitigation and Enhancement Strategy shall be previously submitted to and agreed in writing with the Local Planning Authority prior to its use on site. The agreed details shall be strictly adhered to during the course of development and thereafter so retained.

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.

DETAILS OF BOUNDARY TREATMENT

(14) 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 the building is first occupied. 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.

LIFETIME HOMES

(15) A minimum of 5 Lifetime Homes shall be provided on the application site. Full details of the Lifetime Homes showing how they meet all the criteria for Lifetime Homes shall be submitted to and approved in writing by the Local Planning Authority before work begins on the development hereby permitted.

Reason:

To ensure that 20% of the dwellings on site are built to Lifetime Homes standards to comply with policy CS15 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

SUSTAINABLE RESOURCE USE

(16) 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.

EXTERNAL MATERIALS

(17) No development shall take place until details 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.

LANDSCAPE DESIGN PROPOSALS

(18) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

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

SOFT LANDSCAPE WORKS

(19) Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container

grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

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

PROVISION OF DRAINAGE WORKS

(21) No development shall take place until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SURFACE WATER DISPOSAL

(22) No development shall take place until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the building hereby permitted is first [brought into use][occupied].

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(23) 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 any retained tree or hedgerow shall be undertaken in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) 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.

ARBORICULTURAL METHOD STATEMENT

(24) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: 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.

INFORMATIVE: PUBLICLY MAINTAINED HIGHWAY

(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.

INFORMATIVE:CONDITIONAL APPROVAL: WITH NEGOTIATION

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the principle of development, the impact upon protected trees at the site, highway safety, neighbours residential amenities and visual amenity, 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
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- NPPF - National Planning Policy Framework March 2012