

PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 13/01688/FUL

Applicant: Mr Tim Burke

Description of Application: Erection of 4th storey and extensions and alterations to existing 3 storey building to create 12 additional dwellings with associated parking and landscaping (revision to 13/00901/FUL)

Type of Application: Full Application

Site Address: 23-51 VICTORIA PLACE PLYMOUTH

Ward: Devonport

Valid Date of Application: 12/09/2013

8/13 Week Date: 12/12/2013

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

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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OFFICER'S REPORT

Site Description

The site is located on Victoria Place, a residential street in Stoke that is characterised by period terraced properties. The existing development comprises a 3-storey flat-roofed building that is divided into 3 blocks linked by external walkways and staircases. The building has a brutal, uncompromising appearance that is typical of many blocks of flats from the 1960s. Garages, parking spaces and a small grassed amenity area lie to the rear of the site. A rear service lane runs along the north of the site at the rear of Haddington Road and the west of the site at the rear of Arundel Terrace. This lane provides the primary means of access to the properties along Arundel Terrace. There are mature street trees along Victoria Place, including a tree immediately outside the development site.

Proposal Description

Erection of 4th storey and extensions and alterations to existing 3 storey building to create 12 additional dwellings with associated parking and landscaping (revision to 13/00901/FUL).

Pre-Application Enquiry

A meeting was held with the applicant following refusal of application 13/01688/FUL. It was recommended that the number of dwellings be reduced in order to address car parking concerns and residential amenity issues concerning the height and massing of the proposal. It was also recommended that the design of the frontage be altered to create a more traditional appearance more in keeping with the street-scene.

Relevant Planning History

08/00285/FUL – Alterations and extensions to existing building to provide an additional 14 residential units – refused.

13/00901/FUL - Erection of 4th storey and alterations to existing 3-storey building to create 14 additional dwellings, demolition of garages to rear and landscaping – refused.

Consultation Responses

The Highway Authority has no objection to the proposal. There is a shortfall of one parking space to serve the flats, but as there is on-street parking available this is not detrimental enough to constitute a reason for refusal. It is recommended that conditions be attached requiring the height of the boundary wall to be no more than 900mm high and for 14 secure cycle parking spaces to be provided.

The Public Protection Service has no objection to the application. It recommends a code of practice condition to protect residents from noise during construction and a noise condition requiring the new dwelling units to be built to good room criteria. An unexpected land contamination condition is also recommended in the event that contamination is found during the construction process.

The Devon and Somerset Fire Service notes that it normally comments in relation to Building Regulations but it sees no reason to object to the proposal.

The Devon and Cornwall Police Architectural Liaison Officer has no objection to this application.

Representations

Nineteen letters of representation have been received from local residents of Victoria Place, Haddington Road and Arundel Terrace.

These raise the following concerns:

- The proposed building is too tall and out of keeping with the character of the area, especially along a rear service lane.
- It will cause overlooking and loss of privacy to neighbouring properties in Arundel Terrace, Victoria Place and Haddington Road and will block sunlight to nearby residents on Victoria Place and Haddington Road.
- It will lead to more on-street parking pressures.
- The installation of a fence around the boundary of the parking area will restrict access for emergency vehicles to residents of Arundel Terrace.
- It will lead to an increase in noise in the area from comings and goings.
- It is out of scale with the existing residential layout.
- There will be a loss of green space and play space on the site and insufficient landscaping.
- The revised proposals differ little from the previous application that was refused. The artist's impression of the rear service lane is inaccurate.
- What will happen to the street trees?
- Recognise that the existing flats are ugly but the replacement flats are not acceptable.
- The area has been proposed for an extension to the Stoke Conservation Area – it has historic character that should be protected.

In response to revisions to the plans, four letters have been received that state that the addition of frosted glass to the Juliette balconies is a token measure and does not address the issue of overlooking of properties on Arundel Terrace.

Analysis

1. This is a re-submission of a previous application (13/00901/FUL) that was refused on the grounds of design, lack of parking and detrimental impact on residential amenity. An earlier application for a similar scheme (08/00285/FUL) was refused due to failure to complete the S106 obligation.

2. The proposal has been revised from the previous application (13/00901/FUL) in the following ways:

- The scheme has been reduced by two dwellings (from 14 to 12)
- An additional car parking space has been provided, meaning that there is a shortfall of only one parking space to serve the whole development (26 spaces serving 27 flats).

- The footprint of the extensions has been reduced to reduce the massing and to move the southern edge of the development away from the boundary with No. 21 Victoria Place. The side extension along the rear service lane behind Haddington Road has been reduced from four stories to three.
- The design of the flats has been changed from a curved standing seam roof to a mansard roof with dormer windows at fourth floor level, with a slate roof to better match the design and character of other dwellings in the street.
- Further amendments have been made to the scheme, to move the boundary fencing away from the junction between the service lanes serving Haddington Road and Arundel Terrace, and to install obscure glazing to the Juliette screens on the west (rear) elevations of the flats to reduce overlooking of properties in Arundel Terrace.

3. The proposal is to extend and alter the existing building (consisting of three linked blocks of flats), with infill and side extensions proposed to each of the three existing blocks and a new storey added in the form of a Mansard roof, raising the height of the development from three storeys to four. In total, the number of flats will be increased from 15 to 27 with the addition of 12 flats (11 two-bed flats and one one-bed) and the 3 existing flats will be extended. New treatments are proposed to the external appearance of the buildings to upgrade their appearance and to create a unified appearance to the development. Existing garages to the rear are to be demolished and replaced by open car parking.

4. The key planning considerations with this application, as with the previous application, are: design and impact on the street-scene, impact on residential amenity, standard of accommodation; highways and parking and sustainability. The main policies to be considered in relation to these issues are: CS34, CS02, CS28, CS15 and the Development Guidelines and Design SPDs and the National Planning Policy Framework (NPPF) which seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.

Design and impact on the street-scene

5. The majority of properties along Victoria Place are two storeys with mansard roofs and dormer windows, but no. 34 Victoria Place, opposite the site, is three storeys in height. The properties along Haddington Road are large, two-storey terraced properties with pitched roofs (some with loft rooms) while the properties along Arundel Terrace are smaller, two-storey terraced dwellings, also with pitched roofs. The immediate surrounding area has a traditional residential character.

6. The current buildings are considered to be of low architectural merit. The flat-roofed, block design and open stairwells between the blocks do not reflect the character of the area, while the garages to the rear appear to be unused and have a run-down appearance. The amenity area to the rear also lacks character and landscaping.

7. Concerns have been raised by residents about the impact of the proposal on the character of the area. Residents consider that the height, massing and design is out of scale, although it is recognised that the existing flats are not attractive. They do not consider that the proposal has been significantly revised to address the previous concerns.

8. The previous design was considered by officers to be over-dominant in terms of height and massing, particularly along the side elevations of the development, contrary to guidance contained in the Design SPD (adopted in 2009). It was also considered to be out of character with other dwellings in the street, particularly in the fenestration along the front elevation.

9. The revised proposal is considered by officers to respond to the previous refusal reasons. Changes to the design of the fenestration, cladding of the front elevation and roof design are considered to be more acceptable and more in keeping with the traditional character of the street-scene. The proposals would remove the unsightly existing open stairwells between the blocks by enclosing them and would create a continuous street frontage which is considered to be a positive element of the scheme. The increase in height to four storeys would raise the height of the scheme above the surrounding dwellings, but the mansard roof design serves to reduce the height of the scheme compared with the previous scheme.

10. The scale of the scheme along the northern elevation has been reduced. The new extension has been slightly reduced in length and will be three storeys compared to four previously. While still introducing more of a built-up character to the rear service lane, officers consider that the scheme is an improvement on the previous scheme. The massing along the rear service lane is increased compared to the existing buildings on site, but officers do not consider that the addition in height and massing is sufficient to warrant a refusal.

11. Comments have been made about the visual representation of the scheme. It is important to emphasise that while the images provide a guide to how the scheme would look, the planning considerations are based on the scale plans that are submitted.

12. Concern has also been raised about an impact on the street trees. These are outside the site boundary. Officers note that the trees are shown on the proposed site plan, and there is no proposal to remove these trees.

13. Comments have also been made about a proposed extension to the Stoke Conservation Area to include this site. At present there are no proposals to extend the boundary of the Conservation Area and therefore the area does not come under Conservation Area policies.

14. The Design SPD states that proposals should respect the key characteristics of the area and should sit comfortably within their setting. They should also have regard to scale. In this proposal the site is within a residential neighbourhood as described above, but is considered to be a relatively sustainable location in that it is within easy walking distance of Albert Road Local Centre and also within easy access of regular bus services. While officers acknowledge that the proposal is for a considerable increase in the scale of residential development on the site which will create a higher density of residential use than is typical of the immediate area, officers consider that the amendments to the design of the scheme are acceptable, given that the site is already within residential use as flats, and the area is suited to higher density development given its relatively sustainable location.

Impact on residential amenity

15. The existing development already gives rise to a certain amount of overlooking of neighbouring properties. To the north, the property faces onto a rear service lane serving the rear of properties on Haddington Road (Nos. 15, 16, 17, 18 and 19) and providing access to properties along Arundel Terrace to the west at the rear of the site. To the east, the development faces Victoria Place directly opposite to Nos. 43, 32, 30, 28 and 26. To the south, the existing building adjoins No. 21 Victoria Place which is a two-storey property with mansard roof and two-storey tenement to the rear. These properties are considered to be most affected by the development.

16. Currently, the block facing towards Haddington Road faces directly towards the rear of Nos. 15 and 16. No. 15 is well screened from the lane by a garage and high stone wall. No. 16 has an open rear hard-standing with a small amenity space. Officers consider that the rear windows of No. 16 are currently overlooked. The current block is 15.5m long and 8m high.

17. The proposed extension along the rear service lane is 6m in width (reduced from 9m), making this proposed side elevation 21m length in total. The addition of a fourth storey along the existing block will raise the height of the whole block to 11.5m (an additional 3.5m). The new extension will be three stories in height (9.4m high).

18. The previous application was considered by officers to cause detrimental overlooking to Nos. 17 and 18 Haddington Road in addition to Nos. 15 and 16. Officers recognise that the revised proposal has been reduced in scale by 2m in height and 3m in width. The distance from the side elevation to the rear elevation of No. 16 is 25m. While this is tight, it is an existing situation and the addition of one storey is not considered to be significantly more detrimental than the existing situation. There will be a visual impact on No. 17 and 18 in terms of outlook and overlooking from the extension (and to a lesser extent the other properties along this section of Haddington Road) but this is not considered to be unacceptable enough, given the existing situation, to warrant a refusal.

19. The properties along Arundel Terrace lie at a greater distance from the site and at an angle to the site. The distance from the end of the proposed rear extension to the back of the rear tenement of No. 7 Arundel Terrace is 32m, and 48m to the rear elevation. The properties are at a lower elevation than Victoria Place due to the topography of the site, so the extension will appear higher when viewed from Arundel Terrace. The height of the south side elevation will be 12.8m. Officers acknowledge that the proposal will affect the outlook of properties in Arundel Terrace and will cause some overlooking of their rear gardens. However, officers consider that the distance between the development and these properties is sufficient to avoid any detrimental loss of outlook or privacy. The plans have been revised to provide obscure glazed screens across the rear Juliette balconies which will help to some extent to improve privacy for both occupiers of the new flats and existing residents. This can be enforced by condition. The demolition of the existing garages is likely to enhance the outlook of properties in Arundel Terrace.

20. The previous application was considered by officers to have a detrimental impact on the outlook of No. 21 Victoria Place. The revised proposal has been moved away from the shared boundary by 1.5m to create a 3m gap to the boundary. While this block will be increased in height and massing, officers consider that the revised proposal is now acceptable.

21. Nos. 34, 32, 30 and 28 Victoria Place lie to the east of the site on the opposite side of the street. Concerns have been raised about loss of privacy and loss of sunlight by the addition of a fourth storey and infilling. Officers do not consider that the increase in height would detrimentally affect the privacy of these dwellings, given that it would affect the front elevations which are already public elevations as they face the street. While the increase in height would block outlook for the upper storeys, officers do not consider that this would be detrimental enough to constitute a reason for refusal.

22. Overall, officers consider that the revisions to the proposal have responded to concerns raised with the previous application and, although finely balanced, will not be detrimental enough to neighbouring amenity to justify a refusal.

23. A condition requiring a code of practice for construction is considered appropriate in this instance to protect residents from disturbance during construction.

Highways and parking

23. Concerns have been raised about the impact that the increase in number of dwellings will have on traffic and parking. In addition, concern has been expressed that changes to the car parking layout at the rear will affect the ability of emergency vehicles and refuse lorries to access the rear service lanes.

24. The creation of the 12 additional flats will result in there being a total of 27 units. The previous application had a shortfall of parking spaces to serve the development. This revised proposal has a shortfall of one space, but this is not considered to be a reason for refusal given that there is on-street parking available.

25. Officers recognise that the development will potentially increase the amount of vehicles using the rear service lane to access parking, and may increase on-street parking. However, officers note that existing parking provision is to the rear of the site off the service lane, so the access arrangement is an already existing situation. The new car park layout will make the spaces easier to use by residents and should reduce on-street parking.

26. The plans have been revised to set the boundary fence back from the corner of the service lane junction in order to provide for more turning space for vehicles. This is considered to be positive and will help the movement of traffic. Officers consider that subject to conditions relating to provision of secure cycle parking and visibility, the level of parking provision is now acceptable.

27. The rear service lane is currently accessed for refuse collection. Officers consider that the proposals will not change the existing situation with regards to access. Access for emergency vehicles is not a planning consideration, but the Devon and Somerset Fire Service can see no objection to the proposal. Currently, there is no boundary treatment to the site. Railings are proposed around the boundary. Details can be requested by condition. Bin storage is currently shown within the internal courtyard adjacent to the car parking area. Bin collection would be from the rear car park entrance. Officers consider that it is important that bin storage and collection is properly considered, and consider that a condition is required for further details to be submitted.

Standard of accommodation

28. The proposed flats range in size from 53.5 sq m for the two-bed flats to 40 sq m for the one-bed flat. This meets the required internal standards for one and two bedroom flats as set out in the Development Guidelines SPD.

29. The flats are laid out so that the flats are all dual aspect except for No. 4, 18, and 24 which face east only. Officers are satisfied that the flats will provide an adequate amount of daylight.

30. There is a communal refuse storage facility to the rear of the development with access onto the car park, and cycle storage provided within the central courtyard at the rear. There is a small grassed amenity space provided at the rear of the development within the courtyard. Officers note that the amount of amenity space is smaller than would normally be required for a development of this size. While there is some amenity space to the front and side of the scheme, it does not provide for private space. Officers consider that it is important that the amenity space provided is properly landscaped and managed to provide for maximum benefit to residents, and this can be required by condition.

31. Officers recognise that the proposal will also upgrade the quality of accommodation for existing residents and therefore will improve their standard of accommodation. The new flats have been designed to be suitable for use by disabled persons (as set out in the Lifetime Homes Statement) and there is a communal lift to provide access to all storeys of the development. This can be required by condition. A noise condition has been suggested so that all rooms meet the good room criteria for noise insulation. This is considered by officers to be appropriate in this instance to improve the standard of accommodation for occupiers.

Sustainability

32. Officers note that ecological enhancement measures are proposed in the form of bat boxes and bird boxes. The following landscaping/ biodiversity measures are proposed: one combined bat and swift box – on the western aspect of the building; two swift box along the western and northern aspect of the building and two house sparrow boxes facing the areas of trees to the north and west of the building. In addition, one combined bat and swift box is proposed for the western aspect of the building; one for summer roosting - on the north facing aspect of the building and one box for hibernating bats - on the west facing aspect of the building. Landscaping measures consist of 4 new trees planted along the northern boundary of the site together with shrubs along the eastern and northern boundaries. These measures can be required by conditions.

33. It is also proposed to install a roof mounted PV solar array to meet the renewable energy requirements of the scheme. These measures can be conditioned.

33. 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.

Local Finance Considerations

Section 106 Obligations

This application has been assessed against the Regulations relating to planning obligations and officers consider it does not give rise to a requirement for a S106 obligation.

Community Infrastructure Levy

The provisional Community Infrastructure Levy liability (CIL) for this development is £23,370. This information is based on the CIL information form submitted with the application.

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage.

There is no negotiation of CIL. The Levy is subject to change and is also index-linked. You should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance.

It is noted that the applicant has indicated that they do not intend to apply for social housing relief on the CIL form.

New Homes Bonus

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 £80,584 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

This proposal will provide accommodation conforming to lifetime homes standards.

Conclusions

This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance paras. 17 and 49. Officers consider that the previous refusal reasons have been overcome and that the proposal is acceptable in terms of residential amenity, character of the area, highways and parking, standard of accommodation and sustainability. It is recommended to grant conditional approval.

Recommendation

In respect of the application dated **12/09/2013** and the submitted drawings Revision to site layout with alteration to boundary and revision to rear elevation with obscure glazing on Juliette balconies

Site location plan, 101 Existing site plan, 102 Proposed site plan Rev A, 120 Existing elevations 1 - 4, 121 Existing elevations 5 - 8, 125 Proposed elevations 1 - 4 Rev A, 126 Proposed elevations 5 - 8, 103 Existing ground and first floor plan, 104 Existing second floor and roof plan, 110 Proposed ground floor plan Rev A, 111 Proposed First Floor Plan Rev A, 112 Proposed Second Floor Plan Rev A, 113 Proposed Third Floor Plan Rev A,,it is recommended to: **Grant Conditionally**

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: Site location plan, 101 Existing site plan, 102 Proposed site plan Rev A, 120 Existing elevations 1- 4, 121 Existing elevations 5 - 8, 125 Proposed elevations 1- 4 Rev A, 126 Proposed elevations 5 - 8, 103 Existing ground and first floor plan, 104 Existing second floor and roof plan, 110 Proposed ground floor plan Rev A, 111 Proposed First Floor Plan Rev A, 112 Proposed Second Floor Plan Rev A, 113 Proposed Third Floor Plan Rev A.

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

CYCLE PROVISION

(3) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 14 bicycles to be securely parked. The secure area for storing bicycles 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:

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.

PROVISION OF PARKING AREA

(4) 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.

ROAD ACCESS FOR CONTRACTORS

(5) 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, and paragraph 32 of the National Planning Policy Framework 2012.

PROVISION OF SIGHT LINES

(6) No development shall take place until details of the sight lines to be provided at the junction between the means of access to the car parking area and the highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the the new proposed units are first occupied.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

NOISE

(7) The development should be built in such a way that it meets BS8233:1999 Good Room criteria, meaning there must be no more than 30 dB LAeq for living rooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

Reason:

To protect the residents from unwanted noise, after occupation of the building and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NOISE VERIFICATION

(8) Prior to occupation of the building hereby approved the applicant shall submit in writing for approval a noise verification report demonstrating compliance with the levels required in the Condition above.

Reason:

To protect the residents from unwanted noise, after occupation of the building, to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS: BIN STORAGE

(9) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: details of the bin storage area. For the avoidance of doubt, space must be provided for eight 1100 litre bins with appropriate screening around the storage area and access for refuse collection. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they 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, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

FURTHER DETAILS: BOUNDARY TREATMENT

(10) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: details of perimeter railings and other means of enclosure around the boundary of the site. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they 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, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

LANDSCAPE DESIGN PROPOSALS

(11) 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: means of enclosure; car parking layouts; hard surfacing materials; lighting; planting plans including the location of all proposed plants their species, numbers, densities, type.

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, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

EXTERNAL MATERIALS

(12) 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, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

RENEWABLE ENERGY

(13) Notwithstanding the Energy Report submitted by GPJ Consulting Engineers, prior to development being undertaken, the applicant shall provide to the Local Planning Authority a full report for approval in writing 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 development 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.

REPORTING OF UNEXPECTED CONTAMINATION

(14) In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken. 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'.

Where remediation is necessary a remediation scheme must be prepared, which 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.

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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012.

OBSCURE GLAZING: BALCONY SCREENS

(15) Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the balcony screens (at first, second and third floor levels) in the west elevation of the proposed extensions, shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5).

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwellings in Arundel Terrace in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

LIFETIME HOMES

(16) All of the new flats shall be built to lifetime homes standards in accordance with the submitted Lifetime Homes Statement.

Reason

To provide adaptable accommodation in accordance with Lifetime Homes standard to enable the homes to be adapted for the needs of elderly or disabled persons in accordance with Policy CS15 of the Plymouth Local Development Framework Core Strategy 2007 (2006 - 2021) and the NPPF.

BIODIVERSITY

(17) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecology and Mitigation Strategy for the site.

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.

INFORMATIVE: (1) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(1) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once any pre-commencement conditions are satisfied.

INFORMATIVE: POSITIVE AND PROACTIVE WORKING

(2) 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 and has imposed planning conditions to enable the grant of planning permission.

INFORMATIVE: CODE OF PRACTICE FOR CONSTRUCTION

(3) A copy of the Public Protection Service, Code of Practice for Construction and Demolition Sites can be adopted either in part or as a whole to satisfy the above condition. It can be downloaded for submission via:
<http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/noisecandeal/constructionnoise.htm>
It is also available on request from the Environmental Protection and Monitoring Team: 01752 304147.