

PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 13/02114/FUL

Applicant: Wainhomes (South West) Holdings Ltd

Description of Application: Development of site by erection of 57 new dwellings, provision of public open spaces, access road, and other associated works

Type of Application: Full Application

Site Address: RADFORD QUARRY PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 11/12/2013

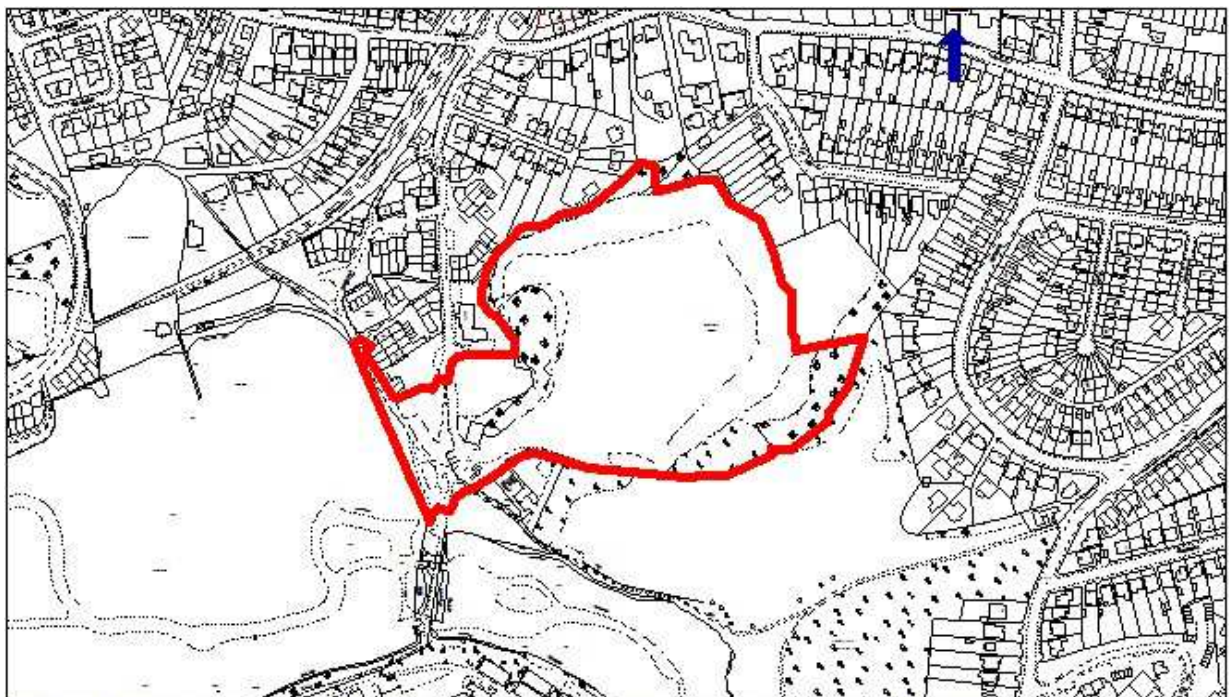
8/13 Week Date: 12/03/2014

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

Case Officer : Simon Osborne

Recommendation: Refuse

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Site Description

The site is a 4.9 ha area of land which includes the former Radford Quarry floor and sides and part of the Hooe Lake foreshore. The site is located to the east of Hooe Lake and south and east of the relatively new residential development at Lower Saltram and Kingfisher Way. The listed Radford Castle, and Radford Park and Lake lie to the south of the site.

The quarry is a designated County wildlife site and is part of Plymouth's Biodiversity Network. The site was designated a County Wildlife Site because of its limestone habitats. The site also contains a group of protected trees.

The adjacent tidal basin, Hooe Lake, is designated a County Wildlife Site for its inter-tidal mudflats (a UK Biodiversity Action Plan Habitat) and its wintering bird interest

Proposal Description

Development of the site by erection of 57 new dwellings, provision of public open spaces, access roads and other associated works.

The development would be accessed from the existing Lower Saltram access road and contain a mixture of 3 and 2 storey detached, semi-detached and terraced dwellings including 20 affordable homes (35%). The majority of dwellings would be located on the quarry floor which would also include Public Open Space, a children's Local Area for Play (LAP) and open space to the north and east to incorporate ecological mitigation measures. The proposal also includes four dwellings on the eastern Hooe Lake Foreshore and Foreshore improvement measures.

It is proposed that the development will be constructed in a two phase process. The two phases would incorporate a mixture of dwellings and areas of open space. Phase one incorporates the frontage dwellings to Hooe Lake and the foreshore regeneration. Phase two incorporates the construction of the dwellings within the quarry area.

Pre-Application Enquiry

One pre-application scoping meeting took place where the principle of development was discussed. Issues regarding nature conservation and highways concerns were highlighted. The applicant chose not to progress pre-application discussions further.

Relevant Planning History

86/02509/OUT- Residential development for 104 houses- WITHDRAWN (Whole of site including Lower Saltram).

87/01950/OUT- Residential Development REFUSED-APPEAL DISMISSED (Whole site including Lower Saltram and Northern Foreshore of Hooe Lake).

87/02011/FUL- New access road to Bailey Bartlett site REFUSED APPEAL DISMISSED

94/00218/OUT- Residential Development for 15 dwellings WITHDRAWN (Lower Saltram only)

98/01139/OUT -Demolition and replacement of existing house APPROVED.

99/01693/FUL- Widening of existing access including demolition of house – APPROVED (top of Lower Saltram).

00/00960/OUT- Residential development for 50 dwellings - REFUSED

01 /OO183/OUT Residential development (Lower Saltram but not within quarry itself) REFUSED

01/01328/OUT -Residential development APPEAL AGAINST NON-DETERMINATION - APPEAL ALLOWED.

02/1194/OUT- Residential development (as above application) REFUSED – APPEAL ALLOWED.

The existing development located to the north east of the quarry was allowed at appeal (02/1194/OUT and APP/N1160/A/02/1094805. The allowed appeal included a unilateral S106 agreement which included the Management of the Quarry area for Nature Conservation and Foreshore Improvements. These obligations were again reiterated in the subsequent S106 attached to the consent for 10 apartments (06/01246/FUL)

03/00860/REM- Residential development – APPROVED.

05/00353/FUL - 33 dwellings REFUSED APPEAL DISMISSED (Includes south part of Lower Saltram and North West part of quarry) The application was refused for the following reasons: harm to nature conservation, loss of trees ,inadequate information (highways) , contrary to Planning Policy Guidance Note 3 (greenfield development) and inadequate amenity.

06/01246/FUL - 10 apartments with associated access road and car parking areas, and formation of landscaped areas APPROVED.

Consultation Responses

Highway Authority

Object due to: aggravation of existing traffic difficulties; Sub-Standard access; Inadequate Surface Water drainage and Interference With Public Rights Of Way.

Environment Agency

No objections subject to conditions

Natural England

No objections but highlight issues to be considered.

Public Protection

No objections subject to conditions

Representations

97 letters of objection have been received including letters from ‘Bugslife’, The RSPB, and Devon Wildlife Trust. One letter of observation has also been received and one letter of support. The most common issues raised are the impact on Wildlife/landscape and Transport Implications. The objections raised are summarised below:

1. Traffic and Parking Issues: the access is too narrow to accommodate 57 additional dwellings, extra congestion in Oreston, concerns over emergency access, pedestrian access and children’s safety.
2. Some of the information submitted is incorrect such as Bus Routes information.
3. Impact on wildlife/habitat including bats, badgers, birds, insects and other important flora and fauna.
4. Pollution including marine pollution and air quality.

5. The site is a County Wildlife Site and last remaining Limestone Quarry habitat
6. The site is a designated Green field site
7. Impact on Trees
8. How will the public open space be managed?
9. Public Open Space areas are small.
10. Impact on local infrastructure such as schools, doctors, road network.
11. Flooding issues.
12. Sewerage issues.
13. Too many houses and overdevelopment of area and Plymstock as a whole.
14. Impact on Landscape and Marinescape.
15. Impact on Radford Park and Arboretum.
16. Impact on Radford Castle and Coast Path and maritime heritage.
17. Restrictive covenant stating that quarry is to be left as an amenity area
18. Previous Permissions have been refused.
19. Previous permission allowed at appeal hinged on the quarry being left untouched.
20. The proposal will spoil the character of the existing development.
21. Noise will project from quarry as it acts like a natural amphetheatre
22. Development shouldn't be allowed but if it were it should be marine employment uses.
23. Application was not advertised sufficiently
24. Increased vandalism.
25. On previous permission planning conditions were not complied with.
26. Little light would be received by the proposed dwellings
27. Will lower property values.

The letter of support comes from Devon Historic Buildings Trust who welcome improvements to the foreshore and potentially the castle.

Analysis

1. The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.
2. 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.
3. This application raises a number of key planning issues: the principle of the development; design and layout matters; residential amenity standards; contaminated land issues; affordable housing; transport; nature conservation (impact on ecology and protected species); impact on character; impact on trees; renewable energy; and section 106 obligations and measures to mitigate the impacts of the development.
4. The main Core Strategy policies relevant to the application are: CS01 Development of Sustainable Linked Communities, CS02 Design, CS03 Historic Environment; CS15 Overall Housing provision, CS16 Spatial

Distribution of Housing Sites, CS18 Plymouth's Green Space, CS19 Wildlife, CS20 Sustainable Resource Use, CS21 Flood Risk, CS22 Pollution, CS28 Local Transport Considerations, CS32 Designing Out Crime, CS33 Community Benefits/Planning Obligations and CS34 Planning Application Considerations. The guidance in the adopted Development Guidelines and Design Supplementary Planning Documents (SPD) and the adopted Planning Obligations and Affordable Housing SPD First Review apply.

5. Advice contained within the Adopted National Planning Policy Framework is also relevant.

5 year housing supply

6. When determining applications for residential development it is important to give consideration to housing supply.
7. Paragraph 47 of the NPPF stipulates that *“to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”*
8. Paragraph 49 of the NPPF states that *“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*
9. For the reasons set out in the Authority's Annual Monitoring Report (December 2013) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2014-19 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 5,536 dwellings which equates to a supply of 3.16 years when set against the housing requirement as determined by the requirements of the NPPF or 2.64 years supply when a 20% buffer is also applied.
10. The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:
 - Available to develop now
 - Suitable for residential development in terms of its location and sustainability; and
 - Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

11. Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking...

12. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted”

13. As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as determined by the requirements of the NPPF, the city’s housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

Highways

14. The development would be accessed through a relatively recent residential development previously built by the applicant Wainhomes. This previous development comprises of two roads, one being the main spine road which is an extension of an older road, with the whole length now being known as Lower Saltram; along with a second new access road, approximately along the alignment of an old track-way that is now known as Kingfisher Way

ACCESSIBILITY

15. The application site within an old limestone quarry is bounded by the high quarry walls with one point of access/egress and is very much an enclave setting, topographically separated and providing few opportunities for sustainable travel or inter-connectivity with the wider communities and street network.

16. Opportunities and provisions to encourage safe cycling are fairly limited in the local area, with few convenient on-street dedicated cycle tracks that link to the wider area to safely serve commuter use. Although it is acknowledged that there is a slightly convoluted dedicated cycle route (as described in the application) that in part uses an old railway cutting, and takes the user toward the outskirts of the City Centre. But otherwise cyclists would have to share the carriageway with cars and other traffic.

17. Safe walking opportunities are also limited and discouraged by the historic narrow footways, and the lack of footways in some places, along with the hilly topography leading from the application site to the wider area. Also it would seem to be unreasonably stretching the bounds of credibility to place any great reliance on the use of the coastal footpath for commuting trips, as apparently suggested in the application details. The South West Coast Path is an unlit footpath, which for commuter use would be a convoluted route that is primarily intended and more suited to leisure use, and certainly would not be used for shopping trips as the application would seem to suggest.
18. To provide a few significant examples in terms of sustainability and the proximity of local services to the application site: - The local Broadway district Shopping Centre is about 1.2 kilometres to the east from the application site; and it is about the same distance 1.2 kilometres to the local Morrison's supermarket located at the junction of Billacombe Road and Pomphlett Road to the north. And the nearest senior school is about 1.5 kilometres to the east; and the City Centre is about 4 kilometres away.
19. The local bus service that runs along and serves Plymstock Road, including Lower Saltram and the proposed development, is a circular route serving the local Plymstock area before returning to the City Centre. Any wider journeys by public transport, for instance for employment or leisure, would require multiple stops and a change to others service routes, taking much longer and being more inconvenient. Also the bus services there have recently been cut from four service routes, to one, with only route number 2 remaining, and providing a twenty minute bus frequency (Service 5, 5A, and 6 have been withdrawn by the bus companies).
20. For a consistent indication of the accessibility of the application site when compared to the rest of the city, reference should be made to this councils, development guidelines, Supplementary Planning Document (SPD), which shows the very low accessibility score of between 20 – 29% accessibility by public transport. And the accessibility level of the application site is likely to be even lower now that three of the four bus services have recently been withdrawn.
21. Transport considers that given the low accessibility score of the application site, and due to the location and topography of the site it is not especially accessible. And it might reasonably be expected that the proposed development would be quite heavily reliant on the use of a private car and car bourn journeys, and not therefore particularly sustainable. A high demand for car use at the location would also seem to be confirmed in the submitted Transport Statement, and it might be concluded from; Section 5, 'Trip Generation & Traffic Impact'; from the Traffic Count data; and the Modal Split Census data at 5.10, & Tables 5.5 & 5.6; that 74% of all trips an journeys generated by the proposed development would be made by car (69 % driver & 5% passenger).

22. Although Transport would not wish to take particular issue with the accessibility of the site location, the development would need to mitigate the associated traffic generation and impact, and properly provide for and accommodate the safe access/egress and the free flow of all traffic along the existing cul-de-sac road of Lower Saltram. Which would include the need to address the existing poor situation regarding access/egress and the existing bottleneck on the Lower Saltram Spine road, and the indiscriminate overflow car parking that currently occurs along the street on the carriageway and footway during the evenings and weekends. Indiscriminate parking that obstructs and hinders the free flow of traffic, and gives rise to issues of highway safety along the street. Along with the need to provide sufficient, practical, and useable car parking provision at the proposed new development within the quarry itself.

TRAFFIC IMPACT

23. The application details include a Transport Statement to demonstrate the traffic generation and impact of the proposed development.
24. A Traffic Count Survey was undertaken at the roundabout junction of Lower Saltram and Plymstock Road, the results of which were then cross referenced with the traffic count data for the recent Barton Road development at Hooe, and also with the nationally recognised TRICS data base, which gives information on national traffic generation flows and trips.
25. The application concludes that the proposed development would give rise to a resultant traffic increase of less than 1% for the 2013 and 2018 scenarios at the following junctions:- Lawson Grove mini-roundabout Junction; Dean Cross signalised cross-roads, and the two roundabouts of, Oreston Road/Pomphlett Road, and Pomphlett Road/A379 Billacombe Road. Although the Oreston Road arm of the roundabout junction with Pomphlett Road would though see a traffic increase of approximately 5%.
26. The wider strategic local highway network suffers from congestion at peak periods, particularly on Pomphlett Road, Billacombe Road, and Laira Bridge Road, however an additional traffic increase of less than 1% on the strategic network would be imperceptible. Mitigating congestion on the 'Eastern Corridor' and the wider strategic highway network is subject of outline longer term proposals, to which other developments including Sherford new town, and Plymstock Quarry (Saltram Meadow), would contribute. And a strategic Transport contribution to help ease congestion would be sought from this development should it be realised.

RESIDENTIAL TRAVEL PLAN

27. Any sustainable travel measures are most welcomed, and the application proposes a Residential Travel Plan. However, the success of Residential Travel Plans are reliant on many variables, not least the location and sustainability of the development, the extent of supporting transport infrastructure, and its accessibility by walking, cycling, and public transport. In this regard Transport is mindful that the application site has a very low accessibility score of between 20 – 29% accessibility by public transport. And further, there would not appear to be any data relating to the success of Residential Travel Plans, and the resultant modal shift achieved, particularly in Plymouth. Although Transport would strongly encourage sustainable travel initiatives, particularly more tangible incentives such as free bus passes for new residents to strongly encourage and help establish a modal shift toward the use of public transport, but unfortunately the cut to bus services is discouraging, and the application does not offer any such incentive.

STREET DESIGN AND ACCESS

28. The original extension of the Lower Saltram spine road by Wainhomes (2003) that would serve the proposed development was designed in accordance with the Devon County Council Design Guide and standards (as adopted by Plymouth City Council in 1998), as a Type R2, 'Access Road', designed and intended to serve between 30 and 50 dwellings in the form of a cul-de-sac. Within the Wainhomes estate the existing spine road takes the form of a traditional street with a carriageway width of 5.5 metres wide overall (although traffic calmed and narrower in places). The development also required traffic calming measures in Plymstock Road and a new mini roundabout at the junction of Plymstock Road and Lower Saltram. The layout and design of the existing Lower Saltram cul-de-sac spine road is unintended and unfit in its current form to accommodate additional traffic movements associated with further development, or to safely accommodate on-street parking within the public highway carriageway.
29. Further, the extended Lower Saltram road of the Wainhomes development was not intended nor designed to safely accommodate parking on the public carriageway, as now persistently occurs there. The indiscriminate overspill car parking by residents and visitors that occurs in the traffic calmed streets, often partly or wholly on the footways, obstructs safe two-way traffic movements for vehicles and pedestrians, and would be particularly hazardous for disabled or visually impaired persons. And at times inappropriately reduces the available carriageway width to a single track in places. This indiscriminate and inappropriate overspill parking apparently occurs as a result of the relatively low number of practical and useable off-street car parking spaces that were provided to serve the original Wainhomes development. Although the development had a parking ratio and provision of 1.5 spaces per dwelling (which in fact would be difficult to apportion unless the car parking provision was communal in nature) it also included and counted private garages as parking spaces. Many of which are considered likely to be too narrow and unfit for the purpose of properly accommodating car parking, which in real terms has reduced the available useable parking

spaces, and given rise to hazardous indiscriminate overspill car parking on the public highway.

30. The existing Wainhomes section of the Lower Saltram development and cul-de-sac spine road with the restricted width traffic calmed carriageway, along with the indiscriminate overspill car parking that persists there, would act as a bottle-neck restricting safe pedestrian and vehicular traffic flows to and from the proposed new development, and giving rise to potential obstructions for all traffic, and hazards for pedestrians, that the proposed development would not ameliorate. It is therefore considered that the proposal has failed to afford sufficient consideration of current best practice guidance and sustainability.
31. Transport would note that the application details refer to the current best practice advice contained in the Department for Transport Communities and Local Government document, 'Manual for Streets' (MfS). Which like the earlier 'Devon Design Guide' also advocates design criteria based on the intended level of use of the street; and I would refer to Chapter 7 of MfS, and in particular 7.1 & 7.2, and 7.1.2 'The design of new streets or the improvement of existing ones should take into account the functions of the street, and the type, density and character of the development'. And also referring to the National Planning Policy Framework (NPPF) Chapter 9; 'Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life' etc: And the NPPF Chapter 32, 'safe and suitable access to the site can be achieved for all people': Also the NPPF Chapter 56, 'The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people': Transport considers that the proposal has failed to afford these aforementioned important impacts and elements of the development sufficient consideration.

PARKING

32. The application details indicate that the development would provide 65 open hard-standing type dedicated parking spaces to serve the 57 dwellings, which would equate to a parking ratio of approximately 1.1 spaces per dwelling. Additionally 54 of the dwellings would also have private garages but the application has apparently and appropriately discounted the use of the garages for car parking use. Perhaps partly in view of the earlier comments and concerns express by Transport during the pre-application meeting, that the majority of private garages are not used for car parking. Perhaps the garages have also been ruled out as parking spaces because the application details apparently indicate that many of the garages are sub-standard in width, and not wide enough to provide practical and usable car parking. The narrow width garages are considered to be of little practical use for parking a car, which would leave the occupiers with little opportunity of using the private garages for parking a car as intended.

33. The application details apparently indicate that many of the narrow garages would be in the order of 2.4 metres wide internally, which is the same width as a parking space in a public car park. Parking spaces in public car parks rely on shared space between vehicles to allow for the opening of car doors and allow drivers and passengers to be able to get in and out of the car; such shared space is unavailable between the walls of a garage. To be of any practical use garages should be in the order of three metres wide by six metres long internally; as indicated in the best practice guidance of MfS.
34. The narrow sub-standard width garages would then reduce the practical car parking availability at the development, and Transport would advise that since the narrow garages are of little use and not fit for the intended purpose of parking a car, they should either be altogether omitted and replaced with hard-standings, car-ports, or parking barns; or alternatively be made larger to provide a useable parking option in accordance with the considerations in MfS with a minimum internal size of three metres by six metres (3 x 6 metres).
35. The application also proposes 16 car parking spaces for visitors situated off the spine road just outside of the quarry itself, with the suggestion that these spaces could be used for visitors associated with the dwellings, and others that are using the local amenities of Hooe Lake or the Coastal Footpath; which would include dog walkers etc. And that the visitor parking spaces could be adopted as part of the street or maintained by a management company, and it is considered that the former would be preferable should the development initiative be realised.
36. The application details also offer six public parking spaces situated at the end of the existing turning head of Lower Saltram (south end of the street), to help address the existing parking shortfall of the existing dwellings. And whilst this might be helpful, it would not ameliorate the existing difficulties caused by the indiscriminate overspill on-street car parking that is apparently occurring toward the north end of the spine road and in the vicinity of the junction with Kingfisher Way
37. The council parking standards are set out in the Local Development Framework (LDF) development guidelines, Supplementary Planning Document (SPD) Chapter 8, which indicates as a maximum standard two spaces per dwelling for a dwelling with 2 or more bedrooms. Chapter 8 of the SPD sets-out the adopted parking rational, which is in accordance with national guidance; with parking policies that take account of the levels of car ownership (also referred to in the NPPF); creating high quality residential neighbourhoods by reducing the adverse impacts of inadequate parking, including excessive on-street or illegal parking; promoting sustainable travel by targeting car usage rather than ownership. Within the maximum parking standards developers are expected to provide adequate car parking to accommodate parking from necessary car use, and to protect the surrounding areas from overspill parking and resulting problems on the highway and that the level of car parking should reflect the accessibility of the location by public transport (see above comments on Accessibility).

Therefore Transport would conclude that council parking policy is in accordance with the aims and guidance of the NPPF. And that the proposed development would fail to afford sufficient weight to this important element of the proposal contrary to policy CS28

38. Referring to the 2011 Census data for car ownership levels in Plymouth, would indicate that the Plymstock area of the city has car ownership levels across the wards of between 1.3 and 1.4 cars per household, indicating that local car ownership levels are above the 1.1 parking spaces per household that the development would provide. Given the Car Ownership Census data; and the low accessibility score of the site (20 – 29% assessable by public transport); and the narrow unusable garages; it may be concluded that the development would be expected to give rise to overspill car parking on the local streets. And Transport would express concerns that the proposed development would be liable to repeat past mistakes and give rise to further indiscriminate overspill parking, and fail to facilitate the safe and unobstructed free flow of vehicle and pedestrian traffic, further frustrating existing traffic difficulties and highway safety issues in Lower Saltram.

DIVERSION OF PUBLIC RIGHT OF WAY AND HIGHWAY

39. South West Coastal Path:

It would appear from the application drawings that development, particularly the proposed Detention Basin, would impinge upon and interfere with the formal Public Right of Way that is the South West Coast Path, which has the status of Highway. To alter and divert the Public Right Of Way (PROW) a separate legal process would need to be followed that would be open to public consultation, and might not be successful. The PROW that forms part of the South West Coastal Footpath may not be diverted or otherwise interfered with until such time as a legal diversion Order had been obtained. This is a separate issue to the determination of this application and the applicant should be made aware via an informative.

40. Public Highway Footpath:

Similarly, the development would interfere with and build over part of the existing public highway footpath (Highway Maintainable at Public Expense; HMPE) that comes off of the south end of the existing Lower Saltram turning head. Some of which would become part of the proposed new street and as such would not give rise to any in principal issues; but other sections of the public footpath would need to have the public rights formally extinguished prior to any alterations occurring. This is a separate issue to the determination of this application and the applicant should be made aware via an informative

41. The Highway Authority currently objects to the proposed diversion and interference with the public rights and footpaths, which currently may not be altered or interfered with. The councils PROW officer has concerns about the proposed re-alignment from the point of view that walkers are likely to take the shortest route to the castle which is going to take them straight over the proposed grass area rather than around the grass over this re-

aligned path. It is likely that desire lines will be formed ruining the intended effect of the foreshore improvements.

42. In coming to a balanced view transport has taken into consideration the relevant current policy and guidance, including the NPPF, the council adopted Local Plan (SPD) & street Design Guide, and national design guidance for new communities and streets in MfS.
43. It is considered that Lower Saltam is unsuitable in its current form to provide access and egress and safely accommodate the additional traffic that would be generated by the proposed new residential development, for all of the reasons as already set out above.
44. Access and parking difficulties associated with Lower Saltram and the persistent indiscriminate over-spill parking were flagged up at the pre-application scoping meeting. And to help inform the development proposal the applicant was advised to carry out a parking survey during the evenings and weekends to identify and help properly assess the extent of the apparent indiscriminate overflow parking and associated safety issues, but such details have not been submitted as part of this application.
45. The traffic generation and vehicle trips have been assessed over the peak hour in the morning and afternoon which is in accordance with accepted best practice guidance. However, again referring more generally to TRICS guidance, the proposed development of 57 houses would be expected to give rise to an average of between 8 & 10 additional vehicle trips per dwelling per day. And this would equate to between 456 and 570 additional car movements per day traveling in and out through the spine road bottle-neck of Lower Saltram, with its indiscriminate overspill parking and associated highway safety issues, which the proposal would fail to ameliorate. As such it is considered that in view of the very low accessibility score for public transport, and the expected relatively high level of car use and trips generated by the proposed development that would add to and further frustrate the existing access and traffic difficulties in Lower Saltram, the proposed development is unsustainable.
46. In terms of car parking at the proposed development within the quarry enclave, it is considered that the proposed parking configuration that includes narrow garages that would not be fit for the intended purpose of parking a car is impractical. In real terms this would give an unacceptably low parking provision of 1.1 spaces per dwelling as indicated in the application details (Transport Statement: Parking, 4.9). The proposed low parking level fails to acknowledge current guidance and the local level of car ownership and use, and would be likely to give rise to indiscriminate overspill parking and issues of highway safety, particularly for pedestrians.
47. Incidentally, it is noted that many of the transport and highway elements of the proposal that give cause for concern have also been raised by the local residents in the letters of representation.

48. It is considered that the unsatisfactory transport and highway related elements of the proposal (as already set out) would make the proposed development unsustainable, and contrary to the NPPF and policy CS28 accordingly have recommended the application be refused.

Nature Conservation and Biodiversity

49. In 2007, the site was designated a County Wildlife Site because of its limestone habitats. Plant species recorded include the nationally scarce dwarf mouse-ear. Other plant species of interest include pyramidal orchid, lesser centaury, round-leaved crane's-bill, pale flax and ivy broomrape. Invertebrate records include the nationally scarce centipede *Henia vesuviana* and butterflies such as the locally scarce brown argus *Aricia agestis*. The site also supports a healthy badger population and has good potential for supporting a range of bat species, with greater horseshoe bats found in recent years.
50. The site forms part of City's Biodiversity Network. Plymouth City Council Policy CS19 states that 'the Council will promote effective stewardship of the city's wildlife through maintaining a citywide network of local wildlife sites and wildlife corridors, links and stepping stones between areas of natural green space'. This site is one of those that Policy CS19 seeks to protect.
51. Paragraph 114 of the NPPF states that local planning authorities should 'set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'. Again, this site is one that the NPPF seeks to protect.
52. Previous to the County Wildlife Designation the Hooe Lake Planning Study (1993) (Most recent study available which although precedes current policy is considered to hold some weight) stated that:
53. *'the Radford Quarry and Hooe Lake Foreshore is one of the most sensitive in terms of its nature conservation value and its linkage to the formal open space of Radford Park'*
54. It goes on to state that any development of this area:
55. *'Will be expected to secure the protection and management of Radford Quarry as a nature reserve.'*
56. This view was reiterated in the planning appeal which allowed the now built development at Lower Saltram which did not include the quarry or foreshore areas. The inspector stated that they *'accepted the view of the appellants ecologist that the nature conservation value lies in the quarry itself' 'In addition the nature conservation and management works secured by the planning obligation (in the S106) would reverse the recent damage and secure a sustainable future for the site as one of ecological value..... Subject therefore to the development being so confined (outside of the quarry and foreshore) there would be no conflict with policy'*

57. It is worth noting that in the same appeal reference is made to a 1988 appeal which was dismissed. Emphasis is placed on the fact that the site does not contain the quarry as in the 1988 appeal and It is clear that the existing development at lower Saltram was only deemed acceptable due to the quarry being excluded from development and the management secured by the S106.
58. An appeal for a residential proposal (05/00353/FUL) on part of the Quarry site was also dismissed in 2005 (Ref: APP/N1160/A/05/1187268). Again the Inspector stated:
59. *“the Radford Quarry site as a whole is an area of regenerated countryside within the city boundary. It contributes very significantly to the distinctive character and quality of this part of the city in terms of landscape, amenity and nature conservation. Such a valuable resource within the built up area serves an important purpose and is worthy of preservation.”*
60. An Extended Phase I Habitat Survey conforming to CIEEM guidelines has been submitted along with further protected species surveys and an Ecological Mitigation and Enhancement Strategy (EMES). These surveys were carried out in the 2012 survey season. Presence of breeding birds, reptiles, 7 species of bats and badgers was recorded. The report states that bat surveys will continue on a yearly basis. Usually bat surveys are considered to be out of date after a year and these will be especially important as bats may have populated crevices in the rock faces.
61. For the reasons given above it is considered that the proposal would significantly erode the area's city-wide function for wildlife within the quarry itself and as a continuous link, corridor or stepping stone to the habitats of Hooe Lake. For this reason it is considered that residential development of the quarry should be avoided in principle. The proposals in the application will not sufficiently mitigate the development's impacts and will therefore adversely affect protected species and high quality habitats which results in the application being unacceptable. As the development is not mitigating for its own impacts it does not demonstrate net biodiversity gain it runs in direct conflict with Policy CS19 which states that the Council will promote effective stewardship of the city's wildlife through:
- Ensuring that development retains, protects and enhances features of biological or geological interest, and provides for the appropriate management of these features.
 - Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for.
62. Paragraph 118 of the NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles. The first principle states: *If significant harm resulting from a development cannot be avoided (through locating an alternative site with less harmful impacts), adequately mitigated, or, as a last resort compensated for, then planning permission should be refused.*

Impact on the Character of the area: Landscape and Marinescape

63. In the 1988 planning appeal the inspector concluded that the disuse of the quarry has produced a landscape that is dominated by natural regeneration. The inspector attaches importance to the relationships of the site with its surroundings and states that when the site, Radford Park, Radford Lake and Hooe Lake are combined it is large enough and cohesive enough to qualify as a tract of countryside surrounded by the built up area of Plymouth. It states that it is desirable that this is preserved. It therefore follows that The Hooe Lake Planning Study 1993 indicates that protection of this area is a vital ingredient for ensuring the rural character of the area and for casual recreation.
64. It is recognised that the area of Lower Saltram and the South side of Hooe Lake has now been developed however it is considered the quarry and foreshore have retained this rural characteristic. The 2003 appeal which allowed the development of Lower Saltram recognised that the influence of development was particularly strong on that part of the site. It stated that the area was less rural than other parts of the site including 'the quarry itself which is more heavily influenced by the nearby Radford Park and Radford Lake. The inspector stated that:
65. *'Development on the slope below existing development in Lower Saltram would appear as a natural continuation of the existing urban area... confining built development to the area below lower Saltram would result in an appropriate balance between built and undeveloped elements, with the more rural character of other parts of the site including the quarry, not significantly affected by development limited to this part of the site'*
66. Likewise in the appeal dismissal statement for a residential proposal (05/00353/FUL) on part of the Quarry site in 2005 (Ref: APP/N1160/A/05/1187268), the Inspector concluded that despite its industrial past the land cannot be considered to be previously developed land and is effectively 'greenfield'
67. As previously mentioned, the Quarry site is part of Plymouth's Biodiversity Network supported by Policy CS19 which states that the Council will promote effective stewardship of the city's wildlife through:
68. Maintaining a citywide network of local wildlife sites and wildlife corridors, links and stepping stones between areas of natural green space.
69. Paragraph 114 of the NPPF states that local planning authorities should 'set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'.

70. Although it is recognised that the quarry is fairly contained it is considered that it plays an important contribution to the rural character of this area and acts as a buffer between the urban area and Radford Quarry and Radford Lake. Further to this the 4 proposed dwellings on the foreshore would result in extensive level changes in this part of the site and will make these four new homes plots 54 to 57 very prominent upon views from Hoe Lake. Policy CS20 Sustainable Resource Use states the council will ensure that the development and land use in the "coastal zone" responds appropriately to the character of the particular type of coast, in the interests of preserving and making best use of this limited resource. The erection of these 4 properties will in particular have a significant impact on the character of this 'coastal zone', turning it from a predominantly area of open greenspace to one of development. Whilst it is considered that any development of this scale in this area is likely to have a detrimental impact the use of brick which has no historical precedence further erodes from the character of the area. The proposal is therefore considered to have an unreasonable detrimental impact on the character of the site and surrounding area contrary to policy CS02, CS34 and CS20.

Tree Issues

71. The proposed development would require the removal of group G4 of TPO 382 which consists of two Ash and two Sycamore. Officers consider that these protected trees provide an important amenity function in the area and their removal would be contrary to paragraph 118 of the NPPF and policy CS18 of the Plymouth Local Development Framework Core-Strategy 2007.

Design Massing and Layout

72. The NPPF attaches great importance to the design of the built environment. Core Strategy policy CS02 promotes well designed developments to promoted the image of the city. Notwithstanding the overall impact of the development on the character of the area which is considered to be unreasonably detrimental, it is also important that the layout, massing and design of the proposal is also acceptable
73. In general the proposed layout has been designed to ensure that safe and overlooked streets and spaces are created by having dwellings facing public areas. The proposed layout at the site presents a clear street hierarchy which will be easily legible and is reinforced by building height and form, continuity of facades and the structure of landscaping and surfacing treatments. It is considered that the layout has achieved a balance between providing an appropriate density and ensuring residents will enjoy a decent level of private amenity space and a good quality public realm. The majority if not all the gardens would meet the minimum outdoor amenity space guides found within the SPD. Although the quarry sides are tall the submitted section drawings demonstrate that the proposed dwellings would be an adequate distance away to ensure the proposed dwellings would receive light and the quarry walls would not appear unreasonably overbearing.

74. The layout of the proposed development is thus in accordance with the general policies CS02 and CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).
75. Buildings would will range in height from one to three storeys. The house designs are simple but positively address the key routes and spaces. Facades contain appropriate levels of fenestration and porches where appropriate to add interest to the elevations. The use of brick as proposed would not be supported however appropriate materials could be secured by condition. Some side elevations would benefit from windows however this could be conditioned if required.
76. Further details of landscaping together with a plan for its management are also required but could be secured by condition.

Impact on Radford Castle

77. The Grade II listed Radford Bridge and Castle is located 80m south of the application site. The proposed development is not considered to have any significant impact upon the setting of the listed building.

Affordable Housing

78. The delivery of affordable housing development is one of the top Corporate priorities for Plymouth City Council. The policy context for its provision and delivery is set out in paras.10.17-10.24 of the Core Strategy and policy CS15 (Overall Housing Provision). With such high levels of Affordable Housing need consistent delivery of affordable housing units can cumulatively make a big difference to catering for the City's overall housing need.
79. The proposal includes 20 (35%) affordable housing units. This offer exceeds planning policy requirements which are set at 30%. It would be made up 12 social/affordable rented and 8 shared ownership houses. This is a 60/40% split which complies with affordable housing policy found within the Planning Obligations and Affordable Housing SPD First Review.
80. The mix of house types all of which are 2, 3 and 4 bedroomed houses is welcomed, and there is clear evidence of need for family units of this type from both waiting list data and the Council's recent Housing Market Needs Assessment. Parking ratios for all affordable housing units appear acceptable.
81. The location of the affordable units whilst generally concentrated within the southern part of the site, are reasonably well integrated, and is therefore acceptable
82. In Respect to Affordable housing the proposal is welcomed and is considered to comply with CS15.

Lifetime Homes

83. Policy CS15 of the Core Strategy requires that 20% of all new dwellings shall be constructed to Lifetime Homes Standards. Lifetime homes allow for the 'future proofing' of all new dwellings so that they can be adapted over time to suit the needs of occupants as their lifestyles change due to age or other factors.
84. To comply with policy CS15 (4), Lifetime homes could be secured by condition/S106 should the application be approved.

Sustainable Resource Use

85. 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 offset at least 15% of predicted carbon emissions for the period 2010 – 2016.
86. Although the proposed submission indicates that the buildings will look to reduce energy demand in particular by incorporating high levels of insulation; air tightness and low energy lighting, no on site renewables have been proposed contrary to policy. Even if it were the case that the policy allowed 15% of carbon savings to be found through the built form this has not be demonstrated in an energy strategy. The proposal is therefore contrary to policy CS20.

Surface water drainage

87. Additional information has been submitted regarding surface water drainage. The Environmental Agency considers the application is acceptable in this respect subject to conditions.

Public Protection Issues

88. Noise;
The application is accompanied by a noise impact assessment, given the proximity to potential noise sources, conditions are recommended securing the mitigation works proposed to ensure that future residents are not subject to unwanted noise.
89. The site is located in a residential area and is surrounded by existing houses, the occupiers of which are likely to be sensitive to development. Because of this, we recommend placement of a condition, which prior to the commencement of development approved by this planning permission; requires the developer to 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 and to notify neighbours ahead of any works.

Land quality ;

90. A preliminary risk assessment report has been submitted with the application. The report findings and recommendations with respect to ground contamination are summarised as follows
- Likely complete source-pathway-receptor chains have been established which require further investigation to determine if they actually exist and to confirm the extent of any remedial measures required.
 - Ground gas monitoring, to be undertaken to determine levels of ground gas beneath the site and to ascertain if any ground gas protection measures are required.
 - Hydrocarbon contamination may be present, and so a hydrocarbon vapour proof membrane may be required in parts of the site.
91. In order to confirm the above preliminary recommendations, a phase 2 intrusive site investigation is required.
92. Public Protection are generally supportive of the consultant conclusions and recommendation. Conditions are recommended to support the further investigation and risk assessment work, plus any other work that may subsequently be required.

Other Issues

93. The majority of issues raised in the letters of representation have been addressed above. However issues of sewerage capacity have been raised. South West Water have not objected to the proposal.
94. Issues of house values covenants have also been raised. These are not material planning considerations and should not influence determination of the application.
95. With regard to the advertisement of the application, the application was advertised in accordance with the council's consultation procedures which included site notices and a press add along with the Councils website.

Human Rights

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

S106

The applicant has offered the following heads of terms to mitigate the impacts of the development:

Infrastructure

- Education Contribution of £305,357.78
- Health Care Infrastructure Contribution of £25,292.18
- Library Contribution of £12,252.00
- Transport infrastructure contribution of £223,446.00
- A Hooe Castle contribution.

Affordable Housing

- 35% affordable housing (20 units)

Mitigation Provisions

- Provide 1 x LEAP across the site.
- Provide Informal open space.
- Protect and enhance existing footpaths and provide new pedestrian links
- Make arrangements for long term management and maintenance of the open space for the benefit of the public.
- Provide and implement the regeneration plan to the foreshore area including vehicle access to Hooe Castle.

It is considered that S106 obligations will be required to mitigate the proposals impact on infrastructure and to secure policy requirements pursuant to Core Strategy Policy CS33 and the Planning Obligations and Affordable Housing Supplementary Planning Document. However given the in principle objections to the scheme no S106 negotiations have taken place. Through the submission of the proposed heads of terms the applicant has demonstrated that they are prepared to enter into negotiations should the application be approved by members. It should be noted that obligations must be required to mitigate the impacts of the proposal only and therefore the applicant's heads of terms may not reflect the obligations required.

Community Infrastructure Levy

The provisional Community Infrastructure Levy liability (CIL) for this development is £143,910.

It is noted that the applicant has indicated they intend to apply for social housing relief on the CIL form. This is assessed post approval, however if approved in accordance with the CIL information form – the end liability would be reduced to £100,500 at today's rate.

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 £547,569 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 and Diversities

Policy CS15 requires 20% of dwellings to be lifetime homes compliant. This can be secured by condition. There are no further equalities and diversity issues.

Conclusions

It is recognised that the Council does not have a five year supply of land available for housing. The scheme would assist in meeting housing needs within Plymouth, including provision for some affordable housing. Jobs and wealth would be created within the construction sector. Whilst this is noted, and has been accorded great weight, it is considered that on balance this does not override the other planning harm considerations.

There is an environmental dimension to achieving sustainable development and one of the Core principles of the NPPF includes taking account of the different roles and character of different areas. In this instance, the harm to the character and identity of area, the harm to biodiversity, the harm to the highway network and the lack of renewable energy measures would significantly and demonstrably outweigh the benefits of the scheme. For these reasons the scheme does not comprise sustainable development and is therefore contrary to National and Local Policy.

Above all, the planning history relating to previous developments at Radford Quarry have been fundamentally influenced by the need to protect and enhance the special and unique landscape of this part of the backdrop to Hooe Lake and this remains a material planning consideration. This proposal is contrary to these aims and objectives, and proposes inappropriate development which would be harmful to this sensitive landscape and which would prejudice the long established aim of creating an undeveloped natural refuge alongside an appropriately limited area of housing development.

For the reasons outlined above it is recommended the application be refused.

Recommendation

In respect of the application dated **11/12/2013** and the submitted drawings WAIN/035/100, 035/102, 035/103, 035/106, 035/107, 035/109 035/201, 035/202, 035/203, 035/204, 035/205, 035/206, 035/207, 035/208, 035/209, 035/210, 035/211, 035/212, 035/213, 035/214, EED13440-100-GR -09D, EED13440-100-GR-10A, PHL/002A, PHL/001B, 035/SEC/A, Phase 2 Ecology Report, Planning Statement, Archeological Desk Based Assessment, Preliminary Geotechnical and Contamination Assessment, Tree Survey, Transport Statement, Parking Matrix, Flood Risk Assessment, and accompanying Design and Access Statement (Revised), it is recommended to: **Refuse**

Reasons for Refusal

BIODIVERSITY

1) The site is a County Wildlife Site and forms part of Plymouth's Biodiversity Network. In the opinion of the Local Planning Authority, the proposal would significantly erode the area's city-wide function for wildlife and in particular as a foraging area, a buffer to the quality habitats within the quarry itself and as a continuous link, corridor or stepping stone to the habitats of Hooe Lake. The proposal is therefore contrary to paragraphs 109, 114 and 118 of the NPPF and policy CS19 of the Plymouth Local Development Framework 2007.

CHARACTER OF AREA (LANDSCAPE AND MARINESCAPE)

(2) The site comprises former regenerated quarry workings which form part of a rural tract of countryside in an otherwise built-up area. The site provides a backdrop to the Hooe Lake Area and contributes towards the peaceful and informal recreation enjoyed by people who visit the area. The area acts as a buffer between the urban area and Radford Park and Radford Lake. In the opinion of the Local Planning Authority the proposal would result in an inappropriate balance between built and undeveloped elements to the detriment of the character of the area. Further to this the erection of the 4 properties fronting the Foreshore will in particular have a significant impact on the Character of this 'coastal zone', turning it from a predominantly area of open greenspace to one of development. The proposal is therefore considered to be contrary to paragraphs 109 and 114 of the NPPF and policies CS18, CS20 and CS34 of the Plymouth Local Development Framework Core Strategy

AGGRAVATION OF EXISTING TRAFFIC DIFFICULTIES

(3) The land to which this application relates has its access and frontage onto Lower Saltram; and the attraction to the site of an increased number of vehicles by reason of the proposed development would aggravate existing traffic difficulties and be prejudicial to amenity, public safety and convenience. Which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007

INADEQUATE PARKING PROVISION

(4) No adequate provision is proposed to be made for the parking of cars of persons residing at or visiting the development. Vehicles used by such persons would therefore have to stand on the public highway giving rise to conditions likely to cause:-

- (a) Damage to amenity;
 - (b) Prejudice to public safety and convenience;
 - (c) Interference with the free flow of traffic on the highway
- which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007

RENEWABLES

(5) In the opinion of the Local Planning Authority the proposal fails to demonstrate incorporation of onsite renewable energy production equipment to off-set 15% of the predicted carbon emissions. The proposal is therefore contrary to policy CS20 of the Plymouth Local Development Framework Cores Strategy 2007.

TREES

(6) The proposed development would require the removal of group G4 of TPO 382 which consists of two Ash and two Sycamore. The Local Planning Authority considers that these protected trees provide an important amenity function in the area and their removal would be contrary to paragraph 118 of the NPPF and policy CS18 of the Plymouth Local Development Framework Core-Strategy 2007.

INFORMATIVE: REFUSAL (WITH ATTEMPTED NEGOTIATION)

(1) 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 looked for solutions to enable the grant of planning permission. However the proposal remains contrary to the planning policies set out in the reasons for refusal and was not therefore considered to be sustainable development.

INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(2)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.

Relevant Policies

The following (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 (b) relevant Government Policy Statements and Government Circulars, were taken into account in determining this application:

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
SPD2 - Planning Obligations and Affordable Housing
SPD1 - Development Guidelines First Review
SPD3 - Design Supplementary Planning Document
NPPF - National Planning Policy Framework March 2012