

PLANNING APPLICATION REPORT



ITEM: 02

Application Number: 13/02214/FUL

Applicant: Sims Brothers (Plymouth) Ltd

Description of Application: Construction of 14 dwellings with access from Thirlmere Gardens and associated parking and landscaping

Type of Application: Full Application

Site Address: LAND AT THIRLMERE GARDENS PLYMOUTH

Ward: Budshead

Valid Date of Application: 27/01/2014

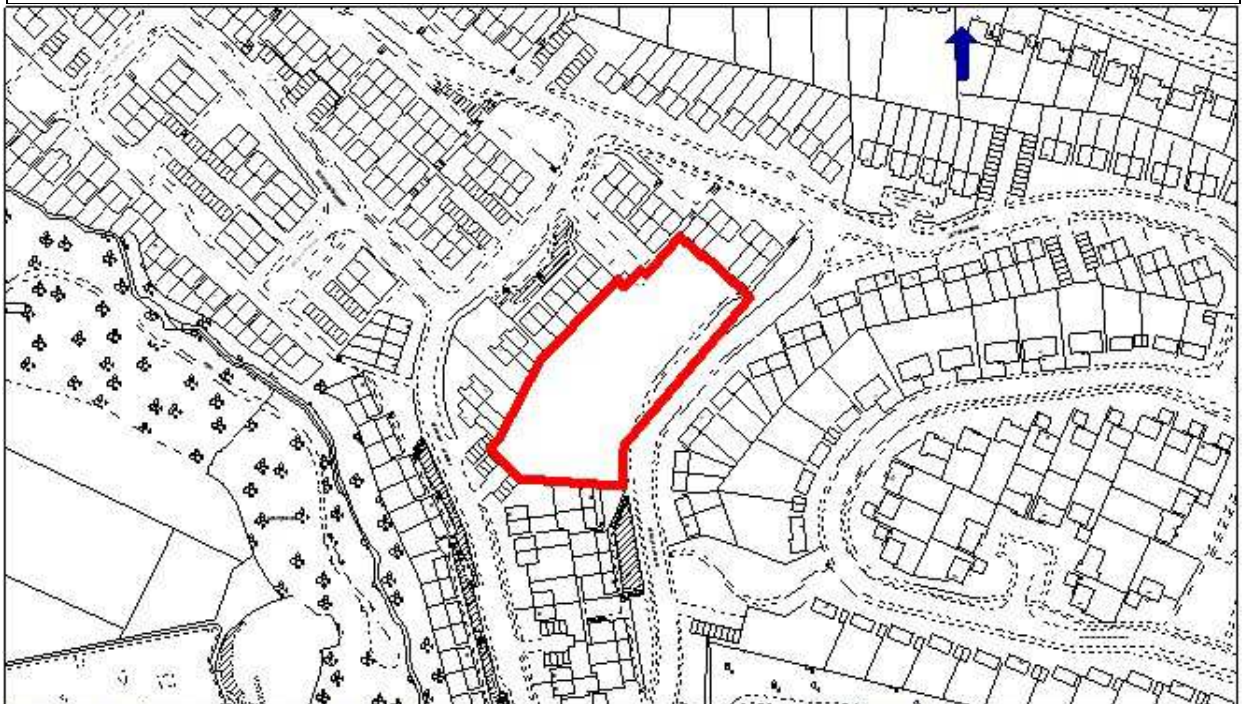
8/13 Week Date: 28/04/2014

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

Case Officer : Olivia Wilson

Recommendation: Refuse

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OFFICER'S REPORT

Site Description

This site is located in the Derriford area of the city, west of the A386. It is within a residential estate that was laid out in the 1970s. The site itself is a steeply sloping area of woodland (about 0.5 hectares in size), bordered by Leatfield Drive to the north, and Thirlmere Gardens that curves around to the east, south and west. Residential properties back onto the site from Leatfield Drive and along the western side of Thirlmere Gardens. There are some houses immediately to the south, adjacent to the site, that are set down from the road.

Proposal Description

Construction of 14 dwellings with access from Thirlmere Gardens and associated parking and landscaping.

Pre-Application Enquiry

None

Relevant Planning History

There is no relevant planning history.

Consultation Responses

The Public Protection Service has no objection to this application. It recommends that a construction code of practice and land quality conditions are attached.

South West Water notes that a public water main is in the vicinity and notes that development should not encroach on the 3m easement. SUDS are required for surface water, such as a soakaway.

The Highway Authority has no objection, subject to conditions requesting further details of street layout and design and conditions requiring car and cycle parking.

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

Representations

18 letters of representation have been received from residents of Thirlmere Gardens. These raise the following objections:

- It is the only green space in the estate
- The proposed houses will overlook the properties below and reduce privacy
- The trees on the site are protected.
- It would destroy a wildlife habitat
- The road access is too steep
- There are already parking problems in the area and this will make them worse
- The proposed road will be located on a layby which will reduce on-street parking
- The area is used for children's play, there will be nowhere for children to play
- The slope may be unstable

- The design of the houses is out of keeping with the character of the area.
- Surface water run-off will increase
- Construction will cause disturbance to residents
- There is a public footpath running through the site that is not shown on the plans
- The proposed houses are too tall
- The estate was designed to be open in character.
- It will increase noise in the area
- Vehicle headlights will shine into the houses when coming up the new driveway
- Bats have been observed in the woodland and may roost there
- There is concern about the position of the red line on the site location plan.

Analysis

1. This application is for the construction of 14 dwellings on an area of wooded green space. The dwellings will consist of 6 pairs of semi-detached dwellings and 2 detached dwellings, each with 3 bedrooms except for one detached dwelling with 2 bedrooms. A new access road will be constructed to provide access to the dwellings. There will be parking spaces provided opposite the dwellings. Each dwelling will have two parking spaces. There is a turning head provided at the end of the access road.
2. The main planning considerations with this application are: principle of residential development; impact on 5-year land supply; loss of protected green space, biodiversity and trees; standard of accommodation; design of the development and impact on the character of the area; impact on residential amenity; highways and parking and sustainability. The main planning policies are: CS01; CS02; CS16; CS18; CS19; CS28; and CS34; the Development Guidelines SPD; the Design SPD and the NPPF. 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.

Principle of the development

3. Policy CS16 states that greenfield development will only be permitted where this is acceptable in terms of its impact on the city's green space resource and the proposal can demonstrate that it makes a significant contribution to building sustainable linked communities.
4. In this case, the site is an identified greenscape site of local neighbourhood importance (Ref. 84). It is identified as a local green space on Diagram 7 of the Core Strategy and further information on its green space functions is given in the Sustainable Neighbourhood Assessment for Derriford and Seaton neighbourhood, which identifies that it is of local importance for informal recreation, biodiversity, visual amenity and separation/buffer (providing a green buffer between areas of housing). In addition, the trees on the site are protected by an area tree protection order (No. 477). Its character is semi-natural woodland.

5. Given the protected status of the site, officers consider that the loss of green space and woodland are significant material considerations in relation to this proposal.
6. The Sustainable Neighbourhood Assessment for Derriford identifies that this area is lacking in local services and amenities, including local play space. This means that residents of any new dwellings are likely to have to drive to access services and amenities.
7. Policy CS01 seeks to improve the sustainability of neighbourhoods in the city, and states that new developments should contribute to meet the needs of the community. Officers consider that this scheme, being residential only, would not improve the sustainability of the neighbourhood. On the contrary, by removing a green space, officers consider that the sustainability of the neighbourhood would be reduced. The proposal is therefore considered to be contrary to Policy CS16 and CS01.

5 year housing land supply

8. When determining applications for residential development it is important to give consideration to housing supply.
9. 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.”
10. 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.”
11. 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.
12. 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 relevant and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

13. Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development”. However, Para. 14 also states that decision-makers should weigh up the adverse effects of a proposal against the benefits, when assessed against the policies in the NPPF as a whole. In this case, officers consider that the adverse effects of the proposal would outweigh the benefits in terms of new dwellings.

Loss of green space

14. Policy CS18 (Plymouth’s Green Space) states that ‘Development on or adjacent to these greenspace areas will not be permitted where it would result in unacceptable conflict with the function(s) or characteristics of that area’.
15. Residents have raised concerns about the loss of this green space. The Sustainable Neighbourhood Assessment identifies that the site performs a number of local green space functions; namely informal recreation, visual amenity, biodiversity and separation/buffer.

Informal recreation

16. The site is steeply sloping and has not been managed. It therefore has a wild, overgrown character. While the site is not managed for recreation, there is a tarmacked footpath that runs across the top of the site (which is designated as public highway) and some trodden paths that run across the site, indicating that people do access the site on an informal basis.
17. Officers note from the Sustainable Neighbourhood Assessment that the neighbourhood has a shortage of formal play areas for children, with none within walking distance of Thirlmere Gardens. The closest play areas are Lancaster Gardens and Frontfield Crescent, both of which are further than the recommended walking distance of 400m. There are other green spaces in the vicinity, namely Quarry Woods, but this is also a woodland and not managed for recreation. The area is also hilly, meaning that travelling around the neighbourhood is difficult for pedestrians.
18. Officers recognise that the site is privately owned, and not formally managed for recreation. Its use is on an informal basis. However, given the shortage of formally managed amenity space in the neighbourhood, officers consider that its loss would be detrimental to the amenity of the neighbourhood.

Visual amenity and separation/ buffer

19. The green space is located on a north-west facing hillside, with a 17m drop in height from the top of the site to the bottom. It provides a wooded hillside within what is a low density, suburban of the city. Officers consider that its loss would be detrimental to the visual amenity of the area. It also performs a separation/buffer function between the upper part of Thirlmere Gardens and the lower part.

20. The applicant has attached a landscaping plan that shows a mixture of existing planting to be retained and new planting. It shows a line of new trees above the tarmacked footpath at the top of the site (silver birches), and a cluster of new trees on the southern end of the site (sweet gums and alder), while three field maples will be planted along the south west corner. A row of trees will be retained along the western lower boundary and a small clump in the north eastern corner. To the south of the access road will be a mixture of shrub and tree planting. In total, 23 trees are to be retained. Altogether, the landscaping is focused around the boundary of the site, meaning that the majority of the site will be developed. Only the top end of the site (the existing tarmacked path) is set aside for public recreation or amenity.
21. Officers consider that the landscaping proposed, while retaining some greenery around the edges of the site and providing some new boundary planting, will not be sufficient to offset the loss of green space and trees.

Biodiversity

22. The application has been accompanied by an ecological survey (Jan 2014). This states that the site is of low ecological value with a poor range of flora. It is an isolated site separated from larger woodlands in the vicinity. It identifies two of the trees as category 1 trees for bat roosting, and 3 category 2 trees. The site also has potential for bat foraging. The site is suitable for reptiles (although confined to the grass areas), nesting birds and hedgehogs.
23. The survey identifies that there will be a net loss of biodiversity through the scheme, with a loss of foraging habitat for bats and birds. Mitigation measures are proposed, including 5 schwegler bird boxes, 2 schwegler wren roundhouses and 2 hedgehog nestboxes. Recommendations are made for the timing and method of removal of vegetation to avoid any damage to bats, reptiles or nesting birds in the process.
24. Officers consider that insufficient information has been submitted with the application to enable a proper assessment to be made of the ecological value of the site and therefore to assess the adequacy of the mitigation measures. No bat surveys have been carried out to assess use of the site by bats. CS19 states that development should retain, protect and enhance features of biological or geological interest and should seek to produce a net gain in biodiversity by designing in wildlife and ensuring any unavoidable impacts are appropriately mitigated for. Officers note that the proposal would change the character of the site from semi-natural woodland to an urbanised landscape with associated noise, lighting and activity. Without sufficient information on the existing biodiversity value, however, officers consider that there is insufficient information provided to properly consider and assess the degree of biodiversity loss or to assess the level or nature of mitigation offered to offset this loss.

25. Overall, officers consider that the loss of such a substantial part of this green space to housing, even with the landscaping proposed, would be detrimental to its value for informal recreation, visual amenity, separation/ buffer and that there is insufficient information provided to assess its impact on biodiversity. It is considered to be contrary to policies CS18 and CS19 and the NPPF Paras. 109 and 118.

Loss of protected trees

26. The whole hillside is protected by Tree Preservation Order No. 477, which was made in 2011. It is an area order that protects all trees that existed on the site when the order was made.
27. The submitted Tree Survey shows that there are about 108 trees on the site which have been assessed as being a mixture of category B and C trees with some U category trees. According to the British Standard, B category trees are of moderate quality and value should normally be retained, while C category trees are of low value but may be worthy of retention (U category trees are either dead or in poor health and can be recommended for removal). While there are no Category A trees identified, in an area TPO it is the area as a whole which has value and the absence of category A trees should not necessarily be taken as signifying a lack of importance.
28. The application for 14 houses as proposed would result in the loss of the majority of the trees on the site, with a small pocket remaining in the South Western end and a row on the North West boundary. The plans show that of the 108 trees in the site, 23 are to be kept with a loss of 85 trees. Four groups of category B trees are proposed for removal, including a mixture of sycamores and oaks. In the North East corner a group of Sycamore is proposed to be retained but these are very close to the proposed detached property (plot 14) and are located at a higher level. In light of the steep levels across the site it is unlikely that they could successfully be retained without significant root damage. These trees if retained will dominate the property below and lead to pressure from future occupiers to have them reduced or removed. Officers consider that this is an unacceptable relationship in terms of tree retention.
29. The submitted Tree Survey notes that the trees have not been managed, and many trees are in a poor state of health. In particular, deliberate damage to some of the more mature trees on site was noted. Overall, however, although the trees are of mixed quality, officers consider that as a group they collectively form a significant feature of the local landscape and have public amenity value. Any potential impact in the landscape needs to be considered as a whole not just on an individual tree basis.

30. Policy CS18 (Plymouth's Green Space) states that the Council will safeguard important trees. Officers note that the proposal is for the majority of the trees, including 4 individual/groups of B category trees, to be felled. While some new tree planting is proposed along the top of the site, officers consider that this is insufficient to mitigate the significant loss of protected trees. The proposal leaves little area for compensatory planting. Officers are also concerned that associated works to the site, such as cutting into the slope to enable construction of the road, dwellings and gardens, will further undermine the health of the remaining trees. Officers therefore consider that the proposal is contrary to policy CS18 and the NPPF Para. 118.

Standard of accommodation

31. The dwellings would be north-west facing with gardens to the rear. They would be split level with three floors of accommodation. While the houses will be large enough to meet the recommended internal space guidelines as set out in the Development Guidelines SPD (82 sq m for a 3-bed house and 72 sqm for a 2-bed house), the gardens to the rear do not all meet the recommended guidelines for outdoor amenity space (75 sq m for a semi-detached dwelling and 100 sq m for a detached dwelling).
32. While officers are concerned about the small size of some of the gardens, officers recognise that these are guidelines only and do not consider that this is detrimental enough to be a reason for refusal.

Design and impact on the character of the area

33. Policy CS02 states that new development should contribute positively to an area's identity and heritage in terms of scale, density, layout and access.
34. The Design SPD (para. 4.4) further states that proposals should sit comfortably within their setting and link with the surrounding developments and local facilities. The NPPF (para. 58) further states that developments should respond to local character and reflect the identity of local surroundings and materials.
35. The hillside is bounded by houses on three sides (numbers 87 and 89 Thirlmere Gardens to the south; 59 to 71 Leatfield Drive to the north; and 5 to 33 Thirlmere Gardens to the west). These houses all back onto the site with the exception of 89 Thirlmere that is side on. The current form of residential development in the area consists of two-storey, semi-detached dwellings or small terraces of three dwellings.
36. While there is not a strong pattern of development in the area, the proposed development would introduce a new form of house design and layout to the area with taller, split-level townhouse-style dwellings in the form of a cul de sac. Officers consider that the proposed dwellings would be out of scale by introducing a more urban character into what is currently a suburban setting. Officers therefore consider that the proposal is contrary to policy CS02 and the NPPF Para. 58.

Highways and parking

37. Concerns have been raised about the impact that the proposal will have on parking in the area and on highway safety due to the narrowness of the roads. The existing houses were designed without garages and therefore depend upon on-street parking.
38. The proposed access to the site is from the top of the site off an existing layby on Thirlmere Gardens. The road would then curve around to form access to the dwellings, with the houses laid out to the north of the road and the parking spaces to the south. There would be a turning head at the end for turning.
39. There are 28 parking spaces proposed (2 per dwelling), with 24 spaces located to the south of the access road. Two spaces are adjacent to plot 1 and one space is adjacent to plot 14. There is also an integral garage for plot 14.
40. Officers note that the gradient of the access road is steep (1:10) but that this is considered to be acceptable. Officers consider that two parking spaces per dwelling is an acceptable level of parking provision, and is in conformity with parking standards in the Development Guidelines SPD.
41. Officers also note that there are no parking controls within Thirlmere Gardens and consider that the development would not detrimentally add to on-street parking demand. Subject to conditions, officers consider that the parking and access provision proposed would be acceptable and in accordance with policy CS28.
42. Officers note that the footpath running along the top of the site is part of the highway maintained at public expense. The applicant would need to get Highway Authority approval for any landscaping proposed on the grass verge as the Highway Authority would have to maintain it. An informative can be included to draw the applicant's attention to this point.

Sustainability

43. A renewable energy report has been submitted with the application to demonstrate how the scheme will meet the renewable energy requirements set out in Policy CS20.
44. It is noted on the application form that surface water will be disposed to the main sewer. SW Water requires surface water to be removed using a Sustainable Urban Drainage System (SUDs). Officers consider that this is important to manage water sustainably and reduce the risk of flooding. An informative can be added to highlight this requirement to the applicants.

Impact on residential amenity

45. Concerns have been raised about the impact of the new dwellings on the privacy and outlook of neighbouring dwellings. The dwellings along the top of the site (on the opposite side of Thirlmere Gardens) are concerned that their view would be obstructed by the new dwellings, while the dwellings along the bottom of the site are concerned about loss of privacy from overlooking.
46. In relation to the loss of views, officers note that views are not protected by planning policy. The new dwellings would protrude above the top of the site by about 6m. However, they are set back from the edge of the road by 23m. Officers do not consider that they would be significantly higher than the trees that are currently growing on the site, and would be screened by new tree planting along the top edge of the site.
47. In relation to loss of privacy, the distance between the front of the new dwellings and the rear elevation of the houses at the bottom of the site is about 31m. There is a significant height difference between the height of the new dwellings and the existing dwellings. Because of the slope, the dwellings would appear to be 19m high to the ridge when viewed from these houses.
48. The Development Guidelines SPD provides guidance on distances between dwellings for privacy. A minimum of 21m is required where habitable rooms face each other, but this distance should be increased where one of the dwellings is 3 or more storeys in height, and/or where there is a difference in ground levels. In this case, the new dwellings are effectively four-storey (with loft space) and with the difference in height, will look down onto the existing dwellings and their rear gardens. There will be some screen planting along the boundary, however, which will protect privacy. Officers do not consider that there would be detrimental shading or overlooking of the properties below.

S106 obligation

49. The proposed scheme is below the threshold at which a S106 obligation is normally required. The Planning Obligation SPD 2nd review Para 7.2 states that normally planning obligations will not be sought for developments of less than 15 homes. Para. 3.19 further states that provision of affordable housing will be sought from residential developments of 15 dwellings or more. Para. 3.22 states that the Council will seek to ensure that the spirit of the policy is not avoided by artificially reducing the number of dwellings below the threshold. In this case, no S106 contribution has been sought as the level of development is considered to be excessive for the site.

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

The provisional Community Infrastructure Levy liability (CIL) for this development is £70,592.14 (index-linking applied, but subject to change before final liability confirmed). 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 will be index-linked. The applicant 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. The CIL form indicates that the applicant is not intending to apply for any social housing relief.

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 £108,405 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

Three of the plots have been designed to Lifetime Homes standards (11, 12 and 13).

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 the National Planning Policy Framework guidance. On the grounds that the application is considered to be contrary to policies CS01, CS02, CS16, CS18, CS19, The Design SPD and the NPPF Para. 14, 58, 109 and 118, it is recommended to refuse the application.

Recommendation

In respect of the application dated **27/01/2014** and the submitted drawings 2087.LP1
Site location plan
2087.02 Site plan proposed
11/4127MS-01 Site survey
11/4127MS-02 Site survey
2087.03 Section drawings AA and CC

2087.04 Site sections
2087.05 Lower ground floor plots 1 – 2
2087.06 Upper ground floor plots 1 – 2
2087.07 First floor plots 1 – 2
2087.08 Top floor plots 1 - 2
2087.09 Front elevation Plots 1 – 2
2087.10 Side elevation Plot 2
2087.11 Rear elevation plots 1 - 2
2087.12 Side elevation plot 1
2087.13 Lower ground floor plan plots 3 – 10
2087.14 Upper ground floor plan plots 3 – 10
2087.15 First floor plan plots 3 – 10
2087.16 Top floor plan plots 3 - 10
2087.17 Front elevation plots 3 – 10
2087.18 Side elevation plots 4 – 10
2087.19 Rear elevation plots 3 - 10
2087.20 Side elevation plots 3 - 9
2087.21 Lower ground floor plots 11-12
2087.22 Upper ground floor plots 11-12
2087.23 First floor plan plots 11-12
2087.24 Top floor plan plots 11-12
2087.25 Front elevation plots 11-12
2087.26 Side elevation plot 12
2087.27 Rear elevation plots 11-12
2087.28 Side elevation plot 11
2087.29 Lower ground floor plot 13
2087.30 Upper ground floor plan plot 13
2087.31 First floor plan plot 13
2087.32 3rd floor plan plot 13
2087.33 Front elevation plot 13
2087.34 Side elevation plot 13
2087.35 Rear elevation plot 13
2087.36 Side elevation plot 13
2087.37 Lower ground floor plan plot 14
2087.38 Upper ground floor plot 14
2087.39 First floor plan plot 14
2087.40 Top floor plan plot 14
2087.41 Front elevation Plot 14
2087.42 Side elevation plot 14
2087.43 Rear elevation plot 14
2087.44 Side elevation Plot 14
2087.45 Section plots 1 – 2
2087.46 Sections plots 3 – 4
2087.47 Sections plots 5 – 6
2087.48 Sections plots 7 – 8
2087.49 Sections plots 9 - 10
2087.50 Sections plots 11- 12
2087.51 Sections plots 13 – 14
D14 I58 P3 Landscape Plan,it is recommended to: **Refuse**

Reasons for Refusal

UNSUSTAINABLE DEVELOPMENT

(1) The Local Planning Authority considers that the proposal, by removing a substantial part of a green space and protected trees, would have an unacceptable impact on the city's green space resource and would be detrimental to the aim of building sustainable communities, contrary to policies CS01 and CS16 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) and the NPPF Para. 14.

OUT OF KEEPING WITH THE CHARACTER OF THE NEIGHBOURHOOD

(2) The Local Planning Authority considers that the proposal would be out of keeping with the character, identity and context of the neighbourhood in terms of the height of the dwellings in relation to the existing pattern of development and layout, contrary to Policy CS02 of the the Plymouth Local Development Framework Core Strategy (2006 - 2021); the Design SPD Paras. 4.10 to 4.12 and the NPPF Para.58.

UNACCEPTABLE CONFLICT WITH GREEN SPACE FUNCTIONS

(3) The Local Planning Authority considers that the proposed dwellings, by virtue of their scale and prominent location within the green space, would result in an unacceptable conflict with the semi-natural character of the site and would be detrimental to its visual amenity and separation/buffer functions, contrary to policies CS18 and CS19 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) and the NPPF Paras. 109 and 118.

INSUFFICIENT INFORMATION ON BIODIVERSITY AND MITIGATION

(4) The Local Planning Authority considers that the Extended Phase I Habitat Survey submitted with this application does not provide sufficient information to assess the ecological value of the site or to inform an Ecological Mitigation and Enhancement Strategy. In particular, there is insufficient information on the presence of protected species in the form of protected species surveys, contrary to policy CS19 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) and the NPPF Paras. 109 and 118.

LOSS OF PROTECTED TREES

(5) The Local Planning Authority considers that the proposed housing and associated works to the site will result in the substantial loss of protected trees, contrary to Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) and the NPPF Para. 118.

INFORMATIVE: SURFACE WATER DRAINAGE

(1) The applicant is advised that South West Water will only allow foul drainage to be connected to the public foul or combined sewer. It requests that investigations are carried out to remove the surface water using a Sustainable Urban Drainage System, such as a soakaway.

INFORMATIVE: WORKS TO THE HIGHWAY

(2) Any works to the public highway, including landscaping, will require the prior agreement of the Highway Authority.

INFORMATIVE: DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(3) 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.

REFUSAL: POSITIVE AND PROACTIVE WORKING

(4) 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 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.

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:

- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS16 - Housing Sites
- SPD2 - Planning Obligations and Affordable Housing
- SPD3 - Design Supplementary Planning Document
- NPPF - National Planning Policy Framework March 2012