

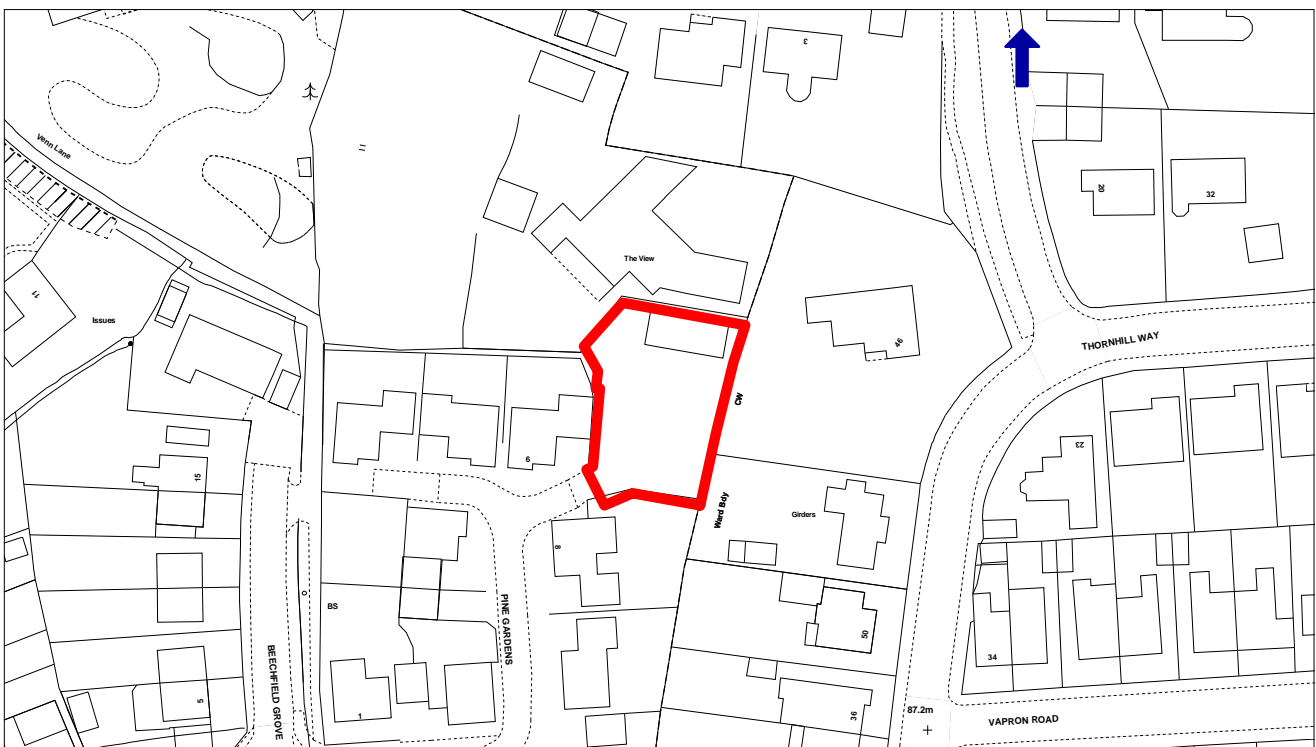
PLANNING APPLICATION REPORT



Application Number	15/01168/FUL	Item	02
Date Valid	10/07/2015	Ward	Peverell

Site Address	FORMER PLYMOUTH PREPARATORY SCHOOL, BEECHFIELD GROVE, PLYMOUTH		
Proposal	Erection of 2 new dwellings with associated infrastructure and access		
Applicant	Linden Homes South West		
Application Type	Full Application		
Target Date	04/09/2015	Committee Date	Planning Committee: 22 October 2015
Decision Category	Member Referral		
Case Officer	Christopher King		
Recommendation	Grant Conditionally		

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This application has been referred to planning committee by Cllr Martin Leaves, and was deferred at planning committee on the 27th August 2015 to allow due consideration of additional information that was received late.

1. Description of site

The site is part of the former Plymouth College site located on the edge of Peverell and Mannamead. This application relates to an undeveloped plot of land (plot 12) located in the north east corner of the southern site which benefits from planning permission for a 5 bed detached dwelling (14/00128/FUL). The site is relatively level, but sits lower than the adjacent sites to the north and the east. The site is bounded by dwellings on all aspects, with access to be gained from the newly established road as part of the previously approved Beechfield Grove Estate.

The northern part of the school site was sold off separately and benefits from planning permission one large dwelling house and one block of 8 flats, as noted in the section 4 of the report below. A high gabion wall separates the two sites.

2. Proposal description

Erection of 2 new dwellings with associated infrastructure and access.

3. Pre-application enquiry

No pre-application advice has been sought with regards to this application.

4. Relevant planning history

14/02196/FUL - Development of vacant site with a block of 8 flats, cycle store and amenity space – Grant Conditionally

14/00128/FUL - Development of site by erection of 12 dwellings, access and associated works (existing building to be removed) – Grant Conditionally

13/01275/FUL – Plot 2 - Proposed detached modernist dwelling with double garage, out houses and associated vehicular circulation: application to vary Condition 2 of Planning Permission 13/00443/FUL to include enlargement of the first floor on the northern elevation, reduction of the ground and lower ground floor on the southern elevation and fenestration changes – GRANTED and substantially built.

13/00426/FUL – Plot 1 Demolition of existing buildings and erection of a large detached house with two double garages and vehicular circulation – GRANTED.

13/00443/FUL - Plot 2 - Proposed detached modernist dwelling with double garage, out houses and associated vehicular circulation – GRANTED.

5. Consultation responses

Local Highways Authority – No Objections

Public Protection Service – No Objections

6. Representations

5 letters of representation were received during the initial 21 day consultation period, all of which express objections to the proposal. The reasons for objection are summarised below:-

- Loss of outlook due to increased height of proposed dwellings
- Loss of light due to proximity of proposed dwellings to boundary
- Proposed dwellings are not in keeping with the character of the previously approved dwellings
- Overdevelopment
- Insufficient garden amenity space
- Will create a sense of enclosure
- Will increase traffic flow
- The additional dwelling may have detrimental impacts on the drainage proposals
- Likely to be detrimental to amenity in Beechfield Grove and surrounds during the construction phase
- Will cause traffic congestion and parking issues within the Beechfield grove development which will prejudices highways safety

Following the planning committees decision to defer the decision in lieu of new information received on the day of the meeting, the application was re-advertised for a further 14 days (18th September to 2nd October).

Four additional letters of representation have been received during this additional consultation period, all of which object to the proposal. In addition to the above points, the following comments/concerns have been made:-

- Increased risk of flooding
- Inaccurate plans
- Inappropriate development on this site
- Gardens not big enough to accommodate a conservatory

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at a relatively early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but 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; or
- Specific policies in the Framework indicate development should be restricted.

Additionally, the following planning documents are also material considerations in the determination of the application:

- *Sustainable Design Supplementary Planning Document*
- *Development Guidelines Supplementary Planning Document*

8. Analysis

1. This application has been considered in the context of the development plan, the emerging Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. This application turns upon policies CS01 (Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment), CS15 (Overall Housing Provision), CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy; and parts 2 and 8 of the Development Guidelines Supplementary Planning Document (SPD).
3. Furthermore, the application also reflects on the following policies of the emerging Plymouth Plan Part One:-

15 – Meeting local housing needs

30 – Safeguarding environmental quality, function and amenity

Site History and Material Considerations

4. The principal considerations in relation to this proposal are of residential amenity (including amenity space, overlooking and privacy) and the relationship with neighbouring dwellings
5. Plot 12 is the remaining element of the Beechfield Grove Estate development yet to be completed, with eleven of the twelve approved dwellings and the associated roads/accesses practically completed.
6. The application site is located in the north east corner of the Beechfield Grove Estate development and already has the benefit of planning permission for a two storey 5 bedroom detached dwelling with an attached garage for 2 vehicles.
7. Every planning application should be considered on its own merits; however site planning history is a material consideration. The principle of residential has been established on this site, and was established after 21 Hartley Road had been afforded planning permission. Notwithstanding the considerations of the actual planning application, officers will consider if the proposal is demonstrably harmful when compared to the extant permission for the 5 bed house, and if it will adversely impact the other dwellings approved as part of the Beechfield Grove Estate application from 2014.
8. Although the plot is large it will be important to establish that the two dwellings can be satisfactorily accommodated within the site to prevent overdevelopment and ensure that the dwellings are of a similar character and layout to the whole Beechfield Grove Estate.

Site Layout and constraints

9. Remnants of the former school building are still present along the northern boundary providing retention to the land to the north. The northern and eastern boundaries are established by existing walls, and in both cases there is a significant change in level. The land directly north of the site for example is 2.5m above the application site ground level; which will increase to 3.5m above site level should permission be granted.
10. The two proposed dwellings will be positioned side by side, within the central area of the site. The proposed dwellings are positioned 2m closer to the north boundary as well as being further from the east boundary, and closer to the west boundary when compared to the approved 5 bedroom dwelling, Officers have requested justification for the alterations to the proposed layout and have been advised as follows.
11. To the west of Plot 12 there is a gap between the corner of the unit and the garage to plot 6. This gap is dictated by a sewer easement and cannot be narrowed. Due to the plots being angled in relation to plot 6 (dictated by the boundary line to the East of Plot 12A) any attempt to move the units further forward would further narrow this easement which would be unacceptable. Plot 12 has been specifically designed with a set-back garage, thus ensuring that there is sufficient space for parking and manoeuvring at the front of the unit. The

pressures on this have been further amplified by the gradient of the drive which is approaching the maximum of 1:8.

12. Officers and the applicant recognise that sliding the dwellings east could have alleviated the problem and provide sufficient space for both 12 and 12A to move forward without affecting the easement however the plots are as close to the boundary as possible. Similar to the northern boundary however, the eastern boundary has an existing stepped structure which dictates the plot level and positioning of the dwellings, as well as an existing easement. A 3m separation zone has been provided to protect this easement, and to ensure that the existing stepped structure continues to retain the boundary walls. This structure is 700mm above the ground level and will remain in situ to provide necessary retention.
13. To ensure the side garden is useable the applicant will increase the ground level in this location and consequently the plot slab levels to the same height. This in turn has influenced the drive gradient as mentioned above, and also caused a slight increase in the heights of the dwellings.

Design and Massing

14. The proposal is for two 4 bedroom detached dwellings, one of which has an internal garage. Both dwellings are two storeys in height and have smaller footprints when compared to the adjacent plots. They also have a combined footprint that is smaller when compared to the approved 5 bedroom dwelling on this site.
15. The proposed ridge heights of plot 12 and plot 12A will exceed the height of the approved 5 bed dwelling by 1.5m, as shown in plan 'P03 B – Site Cross Section 'AA' AS Proposed'; and by virtue of the topography of the site, the two proposed dwellings will also exceed the relative heights of plot 6, 7 and 8 even though the proposed dwellings are not as high when measured from ground level.
16. The heights of the proposed dwellings are influenced by two site constraints. Firstly as identified in paragraphs 12 and 13 of this report, the slab level for the unit has increased to accommodate the existing structure along the Eastern boundary, pushing the units up by 700mm. Secondly, the new units are deeper, and in order to keep the same roof pitch so that the units read as part of the overall scheme, but also because the bat roost required requires the height of roof space determined by this roof pitch.
17. Notwithstanding this, it is the view of officers that this alteration will not cause a detrimental loss of outlook to the occupiers of 21 Hartley Road as this property is significantly elevated. The existing boundary fence already provides a level of screening and reduced outlook at lower ground floor level when looking south out of the East wing of 21 Hartley Road which will not change.
18. Rooms at ground floor level in the East wing of 21 Hartley Road will look out on the roofs of the proposed dwellings and in officer's view South west facing rooms located in the west wing of 21 Hartley Road will remain unaffected by this proposal at all levels.
19. Officers note should the applicant go ahead and commence development of the 5 bedroom dwelling that they have planning permission for would likely have the same level of impact.
20. The site is not overly prominent and the external appearance of the two dwellings has considered the existing palate of materials; reflecting the character of the whole

development, including the use of natural slate on the roof. Officers consider that the proposed dwellings will not demonstrably harm the overall mix of the development and accords with policies CS01, CS15 and CS34 of the Core Strategy.

Retaining Wall – North Boundary

21. There primary concern, and reason for deferral at planning committee was the impact of the proposed retaining wall and the impact that this will have on the amenity space, as well as the proposed trees along the boundary. The applicant has advised officer that this retaining wall structure would have been required for the extant permission; however specific details had not been included in the application documents.
22. The cross section plan and the engineering plan that has been provided demonstrates a deep retaining wall structure that runs along the northern boundary, and partially along the north-eastern corner boundary of the application site. The retaining wall structure is part of the old school building currently still on site which has not been fully demolished.
23. No alternative methods of retention have previously been proposed by the applicant, however as the current structure is performing the necessary engineering needs, it is proposed to keep it in situ. The applicant has informed the local planning authority that this structure will be retained and backfilled with concrete, and if removed it will significantly compromise the stability of the land to the north (21 Hartley Road).

Internal Amenity

24. Officer have assessed the internal floor plans of proposed dwellings and are can confirm to members that both meet the internal standards set out in the development guidelines SPD for 4 bedroom dwellings.

External Amenity

25. The site would have originally provided one large external amenity area for the 5 bed dwelling that exceeded the development guidelines SPD standards, which would not have been significantly harmed by the retaining wall structure.
26. As this application proposes to sub-divide the plot the applicant has been required to demonstrate that both dwellings will be provided with sufficient amenity space that accords with the development guidelines SPD. As both proposed dwellings will be positioned 2m closer to the north boundary and the proposed retaining wall officers have concerns over the cumulative impact towards amenity space.
27. Having been provided with a layout plan that demonstrates that retaining wall and other site constraints, officer have calculated the proposed amenity space that each dwelling will be afforded. The plan demonstrates that both rear amenity spaces exceed the minimum requirements of 100m² as set out in development guidelines SPD.

Neighbouring Amenity

28. The first floor windows in the north elevation of the proposed dwellings will not look directly into the lower ground floor of the east or west wings of 21 Hartley Road due to the topography and the existing timber fence. Officers also note that the approved lower ground floor layout of 21 Hartley Road does not include south facing habitable rooms (swimming pool, pool lobby and games room).
29. The south facing ground floor rooms of 21 Hartley Road includes a family room, the kitchen, and the laundry. There is a large balcony area fronting the lounge; however it has a southwest aspect, and will not be overlooked by the proposed dwellings as it is located in the west wing of the dwelling. There are bedrooms at first floor level, however these are also located in the in the west wing of the dwelling and therefore the aspects are southwest and as such are not considered to be harmed by this proposal any more than the extant permission for the 5 bed dwelling.
30. The development guidelines SPD, paragraphs 2.2.21 and 2.2.23 indicates that habitable room windows to window distances should be 21m, and when one or more of the buildings exceed 3 stories in height then the distance should increase to 28m.
31. The proposed layout plan demonstrates that the two dwellings will be 12.19m and 12.5m from the south elevation of 21 Hartley Road, and as demonstrated on the submitted cross section plan, the distances between the north elevation and the face of the boundary wall will be 7.6m, and is therefore below the guidance of the development guidelines SPD.
32. Notwithstanding this, as the site does already have consent for a 5 bedroom dwelling it is the view of officers that the relationship of the proposed dwellings (12 and 12A) with the boundaries and the southern elevation of 21 Hartley Road will not be demonstrably harmful when compared to the extant permission, and would not result in a loss of neighbouring amenity.
33. Furthermore, the distances between the rear elevations of the proposed dwellings and the boundary walls are consistent with the other dwellings that have have been built in the Beechfield Grove Estate, specifically plots 6, 7 and 8 which are west of the application site.
34. Overlooking has been raised as an issue by the residents of 21 Hartley Road; however due to the elevated nature of this property, and the existing boundary screening, officers are of the view that the occupiers of 21 Hartley Road and prospective occupiers of the proposed dwellings will not be demonstrably overlooked.
35. Officers consider that the separation distances are acceptable by virtue of this unusual site topography, and that they are comparable had the 5 bedroom dwelling been completed. Officers have considered residents' concerns, and are of the view that the proposal will not cause a demonstrable loss of amenity, specifically overlooking or privacy and officers are of the view that a good level of privacy will be achieved for all occupiers due to these site specific characteristics.
36. Officers also consider that there are no amenity, overlooking or privacy issues relating to the properties west and south of the application site, or the more established dwellings to the east.

37. The TPO 53 Hartley Road (a mature Macrocarpa) located on the eastern boundary of the site with 46 Thornhill Way will not cause significant loss of light into the rear amenity spaces of the two dwellings due to the orientation of the site and layout of the dwellings.
38. Officers therefore consider that the proposal accords with policy CS15 (5) and CS34 (4) and (6) of the Core Strategy.

Local Highways and Parking

39. The proposal does not significantly alter or involve the creation of any additional areas of public highway. Both properties are served from a private drive at the end of the new cul-de-sac with all car parking provided within the driveway area.
40. Parking provision is in the form of a single garage and 2 spaces for plot 12, and 3 spaces for plot 12A in accordance with existing guidance. It is suggested that the Construction Management Plan controlling the construction of the rest of the site be incorporated into this application also.
41. Although concerns have been raised by residents, the local highways authority considers that the additional dwelling will not cause demonstrable harm to the existing highways network.

Historical Environment

42. The accompanying Archaeological Report dated August 2013 has not been updated for this application but provides sufficient information to show that there is little extant archaeological interest with the exception of the boundary stones, walling, etc., and where possible these will be retained. Officers are satisfied with this approach and consider that the proposal accords with policy CS03 of the Core Strategy.

Ecology and Wildlife

43. The retaining wall structure means that accommodating the proposed tree in the north east corner of the site is not achievable; however the proposed tree in the north west of the site will remain. The applicant has identified the top of the retaining wall and a strip in front of the retaining wall as space to provide additional planting which officers view as an opportunity to improve biodiversity net gain. Coupled with the bat roosts in the roofs of the dwellings, officers consider that the proposal will accord with policy CS19 of the Core Strategy.
44. Furthermore, officers are confident that additional planting on top of and in front of the retaining wall will improve amenity for occupiers, and as the planting matures it is likely to provide additional screening along the northern boundary of the site. This will be conditioned, with full planting proposals and details required prior to commencement. The applicant will be required to demonstrate that this will not negatively impact the approved Ecological Mitigation and Enhancement Strategy (EMES) for the Beechfield Grove Estate site.

Drainage

45. The proposed dwellings will connect into the existing approved drainage scheme for the Beechfield Grove Estate. Officers consider the minor alterations acceptable; however additional information will be requested through condition.

9. 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.

10. Local Finance Considerations

The provisional Community Infrastructure Levy liability (CIL) for this development is £8,298.88 (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.

Note: this is a redesign of an earlier scheme, if amounts are paid in full from the earlier demand notice the paid amounts can be offset against this calculation.

11. Planning Obligations

Not Applicable as the proposal falls below the threshold of 15 units

12. Equalities and Diversities

No equality or diversity issue to be considered

13. Conclusions

Although the physical relationship between the proposed development and the existing development is very close knit, taking into account the following factors the development is considered to be acceptable:-

- Officers are of the view that relationship between windows and habitable rooms of the proposed dwellings and the existing dwellings will have no greater impact towards amenity, outlook and privacy when compared to what the local planning authority has already given planning permission for on this site.

- The two proposed 4 bed dwellings meet the internal and external space standards as set out by the development guidelines Supplementary Planning Document. The site is considered large enough to accommodate two dwellings, and as such is not considered overdevelopment by officers.
- The design of the two proposed dwellings is in keeping with the Beechfield Grove Estate development, demonstrating a very similar materials and colour palate.
- The increased height of the dwellings will not cause a demonstrable loss of outlook to 21 Hartley Road and the proposal has adopted the same roof pitches for consistency with the adjacent dwellings.
- The principal habitable rooms of the 21 Hartley Road have south westerly aspects, and therefore are not impacted by the proposal. Those rooms that do face south are either obscured by the existing fence, or are so elevated that the angles are such that privacy is protected.
- The proposal will not demonstrably harm the highways network, with both dwellings being provided with off street parking in accordance with the development guidelines Supplementary Planning Document.

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically the Local Development Framework Core Strategy and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated **10/07/2015** and the submitted drawings Site Location Plan P04; Existing Site Plan; Floor Plans and Elevations as Proposed P02 Rev B; Site Cross Section 'AA' as Proposed P03 Rev A; Site Plan as Proposed P01 Rev D; Proposed Drainage Layout 13.316/350 Rev H; Plot 12 and 12A Setting Out; Plot 12 and 12A Ridge Heights; Environmental Mitigation and Enhancement Strategy contained within the Ecological Impact Assessment dated Jan 2014; Archeological Desk-Based Assessment Aug 2013; Phase 1 and 2 - Part 1 of 2; Phase 1 and 2 - Part 2 of 2, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: SURFACE WATER DISPOSAL

(3) No development shall take place until a drainage pipe and manhole schedule is carried out confirming pipes and materials details has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the buildings hereby permitted is first occupied

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

Justification: To ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure.

PRE-COMMENCEMENT: LANDSCAPE DESIGN PROPOSALS

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

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

Justification: To ensure that the soft landscaping proposals can be properly incorporated within the development and contribute towards the overall amenity of the site and does not cause conflict with condition 5 of this consent.

Pre-occupation Conditions

PRE-OCCUPATION: HABITAT PROTECTION AND ENHANCEMENT

(5) The dwellings hereby approved shall not be occupied until the measures specific to this site detailed in the submitted Ecological Impact Assessment dated January 2014 and agents email dated 7/4/14 have been implemented in accordance with details previously submitted and approved in writing by the Local Planning Authority. The Landscaping Design Proposals sought by way of condition 4 of this consent shall compliment and enhance the requirements of the approved Ecological Impact Assessment.

Reason:

To ensure wildlife habitats are protected, to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 118 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: PROVISION OF PARKING AREA

(6) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

Other Conditions

CONDITION: SOFT LANDSCAPE WORKS

(7) Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

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

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012.

CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(9) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

A: No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

B: If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

C: The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with the Tree Protection Plan 04019-TPP-21.01.14. (or in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

(10) Notwithstanding the provisions of Article 3 and Classes A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof, shall be constructed to the dwellings hereby approved.

Reason:

In order to protect trees and the amenity of neighbouring properties, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120-123 of the National Planning Policy Framework 2012.

CONDITION: HIDDEN FEATURES

(11) If, during the course of the works, presently hidden features are revealed, the owner shall immediately stop work and inform the Local Planning Authority, and shall not continue with the works until agreement has been reached as to the retention or recording of those features.

Reason:

To ensure that any hidden features are recorded and/or retained, as deemed appropriate, in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

CONDITION: MATERIALS

(12) The materials to be used in the construction of the external surfaces of the two dwellings hereby permitted shall be in strict accordance with the material schedule listed on the approved plan 'Floor Plans and Elevations as Proposed - P02 Rev B' unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure that the materials used are in keeping with the appearance of the existing buildings and the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

Informatives

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

(1) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

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

INFORMATIVE: CODE OF PRACTICE DURING CONSTRUCTION

(3) During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing, piling and noisy operations, control of mud on roads and the control of dust.

A copy of the Public Protection Service, Code of Practice for Construction and Demolition is available on request from 01752 304147 or it can be downloaded for use via:

http://www.plymouth.gov.uk/construction_code_of_practice.pdf

INFORMATIVE: DRAINAGE

(4) The proposed drainage alterations should be consulted with SWW and the Environment Agency and the Surface water drainage system including manholes and pipes should be designed in accordance with Sewers for Adoption 7th Edition (WRc 2012) where appropriate.

INFORMATIVE: BOUNDARY WALLS

(5) Where possible, historical boundary stone walls should be retained to respect the former historic character of the site.