

PLANNING APPLICATION REPORT



Application Number 15/01332/FUL

Date Valid 29/07/2015

Item 03

Ward Southway

Site Address FORMER TAMERTON VALE SCHOOL, PLYMOUTH

Proposal Erection of 92 dwellings and associated infrastructure including public open space

Applicant Galliford Try Partnership Ltd & DCH

Application Type Full Application

Target Date

28/10/2015

Committee Date

**Planning Committee: 22
October 2015**

Decision Category

Major - more than 5 Letters of Representation received

Case Officer

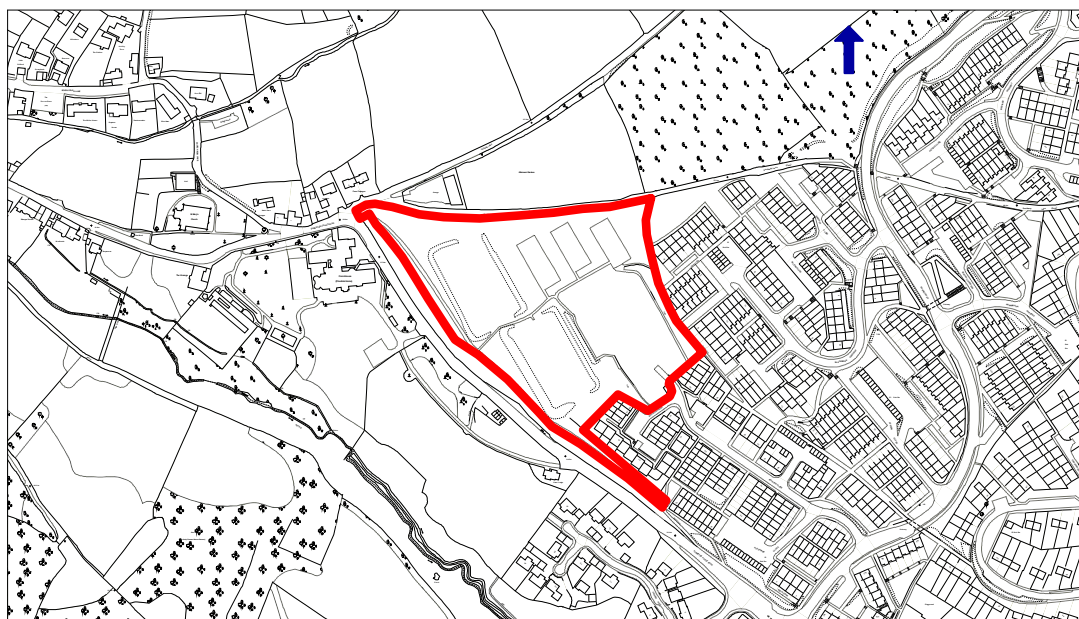
Kate Saunders

Recommendation

Grant conditionally subject to S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (28th October 2015) or other date agreed through an extension of time.

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1. Description of site

This site was formerly occupied by Tamerton Foliot Primary School which consisted of the main school buildings, car parks and landscape areas, including some existing playing pitches, and isolated trees. The site covers approximately 2.9 hectares. The site is bounded by Tamerton Foliot Road to the south west and Coombe Lane to the north. The village of Tamerton Foliot lies to the north west, with a small strip of land along the southwest boundary lying within the Tamerton Foliot Conservation Area.

The site benefits from a gentle southerly aspect and extensive views over open countryside to the west. The south west and northern boundaries are both formed by mature shrubs and trees .

The site is surrounded by post-war housing to the east and south, primarily pre-fabricated two-storey flat roofed housing although the immediate areas around the site accommodate some more recent brick built housing with pitched roofs.

Vehicular access to the site is currently achieved through Rolston Close with pedestrian links from Coombe Lane, Waycott Walk and Blackmore Crescent.

2. Proposal description

Erection of 92 dwellings and associated infrastructure including public open space

The development will provide a mix of 92 new 1 bed apartments and 2 to 4 bedroom terraced, semi-detached and detached homes. The development will work with the existing contours of the site with the primary vehicular and spine road for the development extending from Rolston Close. The layout will maximise the good southerly aspect of the site and split level units will be used to minimise the need for cut and fill. The main spine road will accommodate on-street parking for a number of the new dwellings alongside areas of landscaping. Parking courts will be accommodated in the north east of the site.

A secondary access will be created from Coombe Lane to serve 13 of the dwellings on the site.

A play area and informal green space will be retained to the north west of the site and these areas will also be utilised to accommodate sustainable urban drainage systems to serve the development. The existing planted boundaries will be retained and enhanced through the proposals.

3. Pre-application enquiry

13/01375/MAJ - Use of vacant primary school for a residential development (30,000 Sqm)

An extensive pre-application enquiry took place over a number of months where consideration was given to the proposed layout, access and highway issues, quality of the accommodation, design, ecological mitigation and landscaping proposals. The Local Planning Authority adopted a positive, collaborative approach and a number of meetings were held with the applicant. Overall, officers considered the principle of the development was acceptable although further information and details would be required to support a formal application.

4. Relevant planning history

82/04289/C188 - Outline application to develop land for residential purposes (Regulation 10 consultation) – Granted conditionally

5. Consultation responses

Highways Authority – No objections subject to conditions to cover parking, street details and layout and access information

Historic England – Do not wish to raise any objections and advise that the application should be considered in relation to relevant national and local planning policy.

Public Protection Service – No objections subject to conditions covering noise and unexpected contamination

NHS England – No objections

Police Architectural Liaison Officer – No objections subject to conditions ensuring compliance with “secure by design” principles and the provision of locks to rear access gates.

Wales and West Utilities – No objections although they advise that apparatus is located in the area and they should be contacted before works commence on site

6. Representations

50 letters of representation have been received, 46 in objection, 3 with observations and 1 in support. The letter of support does however raise several concerns which are covered in the observations below.

The comments received are summarised below:

Highways

- Increased traffic
- Rolston Close already like a single road due to parked cars resulting in access problems
- An alternative access to the site should be provided potentially from Tamerton Foliot Road
- Access road is unsuitable for lorries
- Access for emergency vehicles (fire, ambulance) through Rolston Close is already difficult
- Construction traffic is likely to cause problems and an accident
- Traffic monitoring has been done in the wrong place
- Garages are undersized
- No provision for cycle storage
- No dedicated cycle paths
- Transport Statement is inaccurate particularly regarding distances for locations and cycle distances
- Cycle access to schools has not been considered
- Inadequate provision has been made to link to existing cycle routes
- All residential roads should have 20mph speed restrictions
- Coombe Lane access will compromise parking/accessibility for Cann Cottages
- Coombe Lane access will create safety issues and add to congestion
- Further details of any parking restrictions that might be imposed should be provided
- Improvements to bus services will be required

Greenspace

- Loss of the field will mean there is nowhere for children to play, walk dogs or for people to socialise generally
- Field is well used by elderly, disabled and children with additional needs who will find it difficult to access an alternative greenspace
- Alternative greenspaces are not within easy walking distance for residents
- Access to greenspace is important for mental health
- Existing site should be enhanced and more recreation facilities provided
- Siting of play area is not ideal due to its proximity to the road and it not being centrally located for all houses
- The proposed greenspace and trees need to be carefully managed
- No seating should be provided in the greenspaces as they will be vandalised
- Earlier proposals for the play area were more interesting
- The size and location of the proposed greenspace is inappropriate
- Need to put TPOs on the trees along the boundary

Biodiversity

- The site is a wildlife haven e.g. birds, bats, deer, insects
- Concern about damage to existing hedges and loss of trees
- The site is not brownfield and should not be built on
- Wildflowers will be damaged/removed including “Ladies Snook”

Layout/Housing

- No need for additional housing
- Housing would be better suited to the old industrial sites at the top of Southway
- Over-intensive development
- Need more space between the houses
- There should be more solar panels on the properties
- 4 bedroom houses are not affordable
- Housing should just be where the school, playground and car park was and not on the fields
- Plots 14-22 are substantially/wholly on greenfield land
- Houses should be of a similar design to those in Cheshire Drive
- Houses are located too close to existing properties in Rolston Close and there may be overlooking issues

Other

- No community facility is being provided
- Schools in the area are already at capacity so where will children go?
- The school should be reinstated
- The identity of the area will be lost
- Local doctors are already over capacity
- Existing litter problems in the area so maybe bins should be provided
- Increased risk of flooding to Tamerton Foliot
- Exacerbate existing drainage/sewage problems
- SI06/CIL payments should be requested for health, education and other community facilities
- Concerns regarding the consultation period for the application

The issue of house price devaluation has also been raised but this is not a material planning consideration.

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
- Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. The policies of most relevance to this application are CS01 (Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS18 (Plymouth's Green Space), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS28 (Local Transport Considerations), CS30 (Sport, Recreation and Children's Play Facilities), CS32 (Designing Out Crime), CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations).
3. The main planning considerations in this case are considered to be highway safety; parking provision; biodiversity; loss of trees; housing provision, impact on residential amenity, loss of green space/playing fields and sustainability. These issues will be discussed in full below.

Principle of Development

4. The site was formerly occupied by Tamerton Vale Primary School however following a rationalisation of primary school education within the Southway ward the school was closed. Beechwood School, accommodated on the former Southway college campus provides new improved education facilities for children in the locality. This rationalisation process recognised that ultimately this would lead to Tamerton Vale and Southway Primary sites being released for other forms of development as they would no longer be required for educational purposes.
5. Prior to disposal of the site the Council had to submit a Section 77 application under the School Standards and Framework Act 1998 (as amended) to allow for the playing field land to be released. The Secretary of State for Education agreed the application on the understanding that monies from the sale of this site (alongside other sites at Southway Primary and Southway Campus) would be used to create a new "football hub" at Bond Street.
6. The Bond Street 'football hub' will incorporate 4 football pitches; 1 x senior (11v11) and 2 x junior (9v9 and 11v11) and 1 mini pitch (5v5 and 7v7), an access road, car parking and changing facilities. This will enhance and improve the football opportunities in this area of the city, improving and rationalising management of said pitches to a hub of 4 pitches.

7. Sport England were supportive of the Section 77 and have been consulted as part of this proposal and have confirmed that their position is unchanged
8. The letters of representation received have raised concerns about the use of the site for housing when they consider that education facilities in the area are overstretched. Some people suggest that a new school should be constructed on the site.
9. The education authority have confirmed that there is school capacity in the area and no contributions are required to provide further school places as a result of this development.
10. Officers therefore consider that redevelopment of the site for housing is acceptable and that the provision of new playing pitches at Bond Street is adequate mitigation for the loss of this site in accordance with Policy CS30.

Housing Provision

11. When determining applications for residential development it is important to give consideration to housing supply. It should be noted that this does include student accommodation developments that result in additional dwellings to the dwelling stock i.e. cluster flats).
12. 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”
13. 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.”
14. For the reasons set out in the Authority’s Annual Monitoring Report (January 2015) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2015-20 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 5,599 dwellings which equates to a supply of 3.1 years when set against the housing requirement as determined by the requirements of the NPPF or 2.5 years supply when a 20% buffer is also applied.
15. 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.
16. 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.
17. 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”

18. 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.

Layout and Design

19. This site has been the subject of pre-application discussions and the layout and design have evolved to reflect comments received from both members of the public, through public consultation events, and consultees.
20. The applicant is seeking to create a high quality development that will positively contribute to the area and reflect some of the characteristics of Tamerton Foliot Village.
21. The development has had to be mindful of the sloping nature of the site and this has very much informed the layout. The majority of the development, 79 dwellings, will be accessed from the main spine road that will extend from Rolston Close. The road will be in the form of a shared surface street and will utilise block paving, tree planting and areas of landscaping to add to the character of the street. The road will accommodate a high level of on-street parking however officers consider the proposed landscaping will screen and soften the parking and integrate it into the street.
22. Two rows of housing will front the main spine road and create the desired sense of enclosure for the street. To parking courts will extend from the spine road towards the north east of the site. The applicant has given careful consideration to the quality of these areas and, has again used landscaping and a range of housing types, some of which will front on to the parking courts, to create a safe and secure environment.
23. The development will also accommodate a green space and play area to the west of the site, with the play area making use of the sloping nature of the land to add interest to the facilities provided. Many of the letters of representation suggest that the development of this site will mean that there will be no easy access to a green space for elderly, disabled or young residents for recreation purposes. The provision of both the general green space and play area will ensure that residents continue to have an area to walk their dogs and for informal recreation. Young families in the area will now also have the benefit of a readily accessible play area.
24. The layout has evolved to now also include a secondary access from the Coombe Lane/Tamerton Foliot Road junction. This access will serve 13 dwellings and has been incorporated in to the scheme following consultation with local residents who raised concerns about the volume of traffic that will be travelling along Rolston Close.
25. The applicant requires the secondary road to be adopted by the Highways Authority. However the road width has been minimised to reduce the impact on the quality of the green space being created. Officers consider the use of sensitive landscaping will further minimise the dominance of the road.
26. The larger detached and semi-detached properties accessed from the secondary road will provide good natural surveillance of the green space and play area.
27. The architectural design creates variety in the streetscene with focal buildings on key corners and junctions and a variation in materials that reflect the stone, slate and render colours within the village.

28. Officers consider the development therefore complies with Policies CS02 and CS34.

Standard of Accommodation

29. All the proposed dwellings will meet the internal space guidelines within the Development Guidelines SPD. Officers are confident that the accommodation will provide a full range of facilities and enjoy good levels of natural light and ventilation.

30. A schedule of the proposed garden sizes has been supplied and this indicates that 16 of the proposed dwellings will have gardens that fall below the recommended size standards in the Development Guidelines SPD. Whilst officers accept that this is not ideal the proposal does benefit from a large multi-functional green space area alongside a more formal play area that can be used by residents and will, officers consider, compensate for the smaller gardens.

31. Issues such as refuse storage have also been considered and appropriate provision provided within the development.

Affordable Housing

32. The site is one of the Council's "Plan for Homes" sites and therefore a key desire of selling the site is to deliver more affordable housing for the City. Policy CS15 advises that all development over 10 dwellings should provide 30% affordable housing. As members will be aware, given recent economic conditions, securing 30% affordable housing often proves difficult for viability reasons.

33. This application will deliver 35% affordable homes, which is fully welcomed by officers. The affordable housing will be dispersed around the site and will span the full range of dwellings and deliver a choice of tenures. The breakdown of the affordable housing is as follows:

Shared Ownership

7 x 2 Bed House

3 x 3 Bed House

Affordable Rented

6 x 1 Bed Flat

7 x 2 Bed House

4 x 3 Bed House

2 x 4 Bed House

34. The affordable housing provision exceeds the requirements of CS15 and will be secured through the S106 agreement.

Lifetime Homes

35. The Design and Access Statement confirms that the proposal will comply with Core Strategy Policy CS15 and 20% of the units will be lifetime home compliant albeit level access from the parking areas will not always be achievable. However this is accepted taking in to account the sloping nature of the site. Whilst lifetime homes will be superseded by Building Regulations on the 1st October, as this application was submitted during the lifetime home regime, then the proposed compliance with lifetime homes is considered acceptable.

Highways

36. The access and parking arrangements alongside some of the finer street details have been the subject of extensive discussion and resulted in some minor amendments through the application process.

37. The main spine road into the development off Rolston Close with reduced street dimensions is considered to be another form or variation on a 'Shared Surface Street', comprising of a

4.8 metre wide carriageway with a 1.35 footway/margin demarked along both sides by different colour block paving, but forming a single level surface (although this may need to be interrupted to facilitate and manage surface water drainage, which is currently not shown and would be subject to a requirement for technical details). And it should be noted that a second private 1.5 metre wide footway would also be provided along the fronts of the houses. It has been confirmed that the timber bollards to prevent cars from reversing over the footpath would be 100mm square, set in the private footway at the rear of the parking spaces, leaving 1.4 metres of clear (private) footway width, without impacting on the length of the parking spaces and function of the street. Street lighting would be positioned within the envelope of the prospective public highway subject to the approval of technical details. Officers consider, on balance, that this form of Shared Surface Street would provide sufficient utility of movement to safely function as a street.

38. Traffic impact is considered in the submitted Transport Statement (TS), and is basically concerned with the difference between the traffic generated by the previous use as a school and the proposed use as dwellings. Notably, a school use generates different traffic patterns and variations compared to dwellings. As a school the site was a facility serving the local community as a destination, and would have had a significant number of associated walking trips. But as dwellings, it would also become a point of origin no longer serving the local community, and instead adding to the overall housing density and generating their own new and additional commuting, school, and leisure trips, on the local road network during peak commuting periods.
39. Officers are satisfied from the information submitted that the traffic impact from the proposed dwellings would be low. It is estimated that there will be about 56 two-way vehicle trips in the peak hour through Rolston Close, less than one per minute (and 9 trips on the secondary access road). The relatively low number of vehicle trips would overall be largely imperceptible on the highway network, and the traffic impact is considered acceptable.
40. A number of letters of representation received raised concerns regarding emergency vehicle access to the site. A surface access-way will be provided that links the two cul-de-sac ends on together. This will now be provided to a width of 4.1 metres wide, and vehicle wheel-tracking drawings demonstrate that the route would be sufficient to safely accommodate emergency vehicles including a Fire Engine.
41. In order to promote sustainable modes of travel in accordance with Policies CS28 and CS34 a new pedestrian footpath route to the nearest bus stop situated just below the site on Tamerton Foliot Road will be provided. Although other bus stops are accessible from the application site they are located further away and the access routes to the stop in Church Lane are undesirable. The direct stepped access and creation of a pedestrian refuge to the stop on Tamerton Foliot Road will ensure bus travel is promoted as a viable alternative to the car.
42. Many of the representations received raise issues regarding the existing parking situation in the vicinity of the application site. Officers have therefore been keen to ensure that adequate parking provision is provided to serve the development. Each dwelling will have 2 allocated parking spaces, many of which will be situated on the street. Given the form and layout of the parking, officers initially had concerns that visitors would be unable to find suitable spaces to park when coming to the site. In response to these concerns the applicant has provided a further 11 visitor spaces that are located throughout the development. Officers also accept, as suggested by the applicant, that where a household has one car only, but two allocated parking spaces, then associated visitors would be likely to park in the second space. Car parking would be provided to maximum standards, providing overall sufficient numbers of parking spaces to meet the needs of the development. The applicant has also confirmed that

the sizes of garages and all open car parking spaces would be in accordance with best practice guidance, to ensure they are large enough to be conveniently used for car parking.

43. The provision of cycle links and storage has also been raised in a number of the representations received. The layout and form of the development has given due consideration to cycle movements and cycle storage will be provided where appropriate. It is not considered, given the viability issues surrounding the development, that the proposals should contribute to the provision of wider cycle networks in the area.
44. Officers are satisfied that the development will not prejudice the free flow of traffic in the area or raise highway safety concerns. Furthermore the development will meet its associated parking demand whilst promoting sustainable forms of travel in accordance with Policy CS28 and CS34.

Residential Amenity

45. Existing properties in Rolston Close will be most readily affected by the development. However, consideration has been given to the position and orientation of new dwellings, and the recommended minimum privacy and window to gable wall distances are met.
46. Properties to the east in Blackmore Crescent are also situated in relatively close proximity to the proposal but due to the sloping nature of the site they are located at a higher level and officers consider that the development will not have a detrimental impact.
47. The applicant has supplied a draft Construction Management Plan. Officer's note that the management plan details that access for construction traffic will be from Coombe Lane. This will ensure residents of Rolston Close and surrounding streets will not be unduly disturbed by construction traffic. Full consideration of the management plan has not however been possible prior to committee and a condition will therefore be imposed to ensure other elements of the construction process are appropriately managed.
48. In order to ensure the impact on neighbouring properties is not prejudiced in the future, taking in to account the relatively close relationship between properties, permitted development rights will be removed. This will prevent inappropriate extensions and roof alterations that may detrimentally affect light, outlook or privacy.

Biodiversity/Trees

49. The site is located within a Biodiversity Network Feature and is identified in the Greenscape Assessment (2004) where it is listed as being of District importance as an access corridor and Neighbourhood importance for visual amenity, sports, informal recreation, natural habitats/biodiversity, separation/buffer, and access corridors/links.
50. Policy CS18 (1) states that the Council will protect and support a diverse and multi-functional network of green space and waterscape, through identifying ... a network of strategically and locally important Greenscape Areas, and development on or adjacent to these Greenscape Areas will not be permitted where it would result in unacceptable conflict with the function(s) or characteristics of that area.
51. Policy CS19 (3) 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 greenspace.
52. The developer has given careful consideration to the biodiversity functions of the area which has resulted in the provision of a greenspace and play area within the development. An Ecological Impact Assessment and Ecological Mitigation and Enhancement Strategy (EMES) have been prepared by EPS Ecology to support the application.
53. The EMES is considered to provide sufficient mitigation and enhancement to safeguard the existing functions of the area in compliance with Policy CS18. The works will need to be

conditioned in accordance with the plan along with landscaping proposals including a Landscape and Ecology Management Plan (LEMP). The LEMP should clearly identify areas of management responsibility and outline in detail how each element of the landscape will be managed and maintained in perpetuity.

54. It is noted that some trees will need to be removed from the central area of the site but it is not considered that their loss will cause significant harm. Appropriate compensation will be offered in the form of increased new planting. The trees along the boundaries of the site are not being impacted by the proposal however any future formal request to place TPOs on these trees will be considered in the normal way.

Sustainability

55. The application is supported by an Energy Statement, prepared by AES Southern Ltd (June 2015). The report outlines how the 15% carbon savings, as required by Policy CS20, will be achieved through a mix of both fabric first and onsite renewable provision.
56. Although the fabric first approach is supported, Policy CS20 states that reductions in both regulated and unregulated carbon emissions should be achieved purely through on-site renewables.
57. The report outlines that the percentage saving achieved through on-site renewables is 11.5%. In this case, officers consider that the shortfall in carbon savings through renewable energy could not warrant refusal of the application. The development will provide in excess of the required 30% affordable housing provision and as a result detailed viability discussions have taken place. Requiring further provision of on-site renewable energy will be detrimental to the delivery of this scheme and given the current recreational value of the site it is considered that financial contributions should be directed towards greenspace and playing pitch projects in the locality. Acceptance of this small shortfall in carbon savings in these circumstances does not set an undesirable precedent in respect of developments elsewhere.

Flooding and Surface Water

58. A flood risk assessment and drainage strategy has been submitted to support the application. The principals outlined in the report and sustainable urban drainage solution that is being proposed is supported. The green space to the west of the site will house appropriate drainage infrastructure to accommodate highway surface water. Individual soakaways will then be provided to accommodate the surface water from each dwelling. Subject to further discussion and clarification on some of the specific drainage details officers are confident that the development will not increase the risk of flooding in the surrounding area in accordance with Policy CS21.

Public Protection Issues

59. A Phase 1 and 2 Environmental Report was submitted to accompany the application and officers are satisfied that there is unlikely to be any risk from contamination. A condition is however recommended to cover the issue of unexpected contamination during the construction process.
60. Furthermore in support the provision of high quality housing an informative is recommending advising the applicant of the appropriate internal noise levels.

Other Issues

61. The Police Architectural Liaison Officer has assessed the development and is satisfied that the proposal will create a safe and secure environment for future occupiers. Conditions are however recommended to around security and the rear access to properties.

62. Officers are satisfied that appropriate notification of the development took place and site notices were posted in a number of locations surrounding the site. In addition notification also took place in the local newspaper.
63. Concerns were raised regarding GP access in the locality. The NHS have been consulted as part of the application process and have advised that there is capacity on the area and no contributions are required from the development.

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 £257,026.34 (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 applicant has indicated they wish to apply for Social Housing relief. If successful the provisional liability will reduce to £ £175,847.54.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations have been sought in respect of the following matters:

- £28,129 for the provision and maintenance of greenspace and access improvements at Cann Woods Local Nature Reserve
- £34,140 for the provision and maintenance of playing pitch facilities at Aylesbury Crescent
- £62,731 for the provision and maintenance of greenspace and access improvements to connect Bircham Valley Local Nature Reserve with land adjacent to Poole Farm

These contributions have been secured following the submission of viability information and officers are confident that this level of mitigation is the maximum that could be achieved on this site without affecting delivery.

A further clause will also be added to the S106 agreement to cover the provision of the play area. This will read as follows:

- Before reaching DPC level a full specification and maintenance schedule for the new play area shall be submitted to and approved in writing by the Local Planning Authority. The specification for the play area shall be reflective of the details provided in the illustrative play area design shown in section 3.7 of the submitted Design and Access Statement. The play area shall be maintained by the applicant in perpetuity.

The following affordable housing provision will also be secured through the S106 agreement:

Shared Ownership

- 7 x 2 Bed House
- 3 x 3 Bed House

Affordable Rented

- 6 x 1 Bed Flat
- 7 x 2 Bed House
- 4 x 3 Bed House
- 2 x 4 Bed House

12. Equalities and Diversities

There are no further equality and diversity issues specifically related to this application although approving this proposal will facilitate the delivery of 92 dwellings. A percentage of these dwellings are being provided as affordable housing and will be available to people on the Council's Housing Register through a Registered Social Landlord and the rest will be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated. A condition is also attached to ensure that 20% of the development will be made available as Lifetime Homes.

13. Conclusions

Officers consider, taking in to account the lack of a 5-year housing land supply, that the proposal will provide much needed market and affordable housing for the City. Careful consideration has been given to the potential impacts of the development and through changes to the proposed form and layout officers are confident that the proposal will not be unduly harmful to residential amenity or significantly impact the highway network.

The quality of the development being provided is appropriate in scale, form and design for the area. Furthermore the provision of a multi-functional green space and play area as part of the proposal will benefit both future occupiers and existing residents in the area. Appropriate mitigation has also been secured to benefit other local green spaces and playing pitch provision.

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 are therefore recommending approval subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (28th October 2015) or other date agreed through an extension of time.

14. Recommendation

In respect of the application dated **29/07/2015** and the submitted drawings Design and Access Statement – I2709_R01_Rev C

Arboricultural Impact Assessment - 04356 AIA 13.7.15

Transport Statement - R/C151195/TS/003

Planning Statement – PR.143

Energy and Carbon Reduction Strategy (Galliford Try Partnerships South West)

Ecological Appraisal (EPSecology Ltd) July 2015

Ecological Impact Assessment (EPSecology Ltd) September 2015

Flood Risk Assessment and Drainage Strategy - R/C151195/TS/001

Statement of Community Involvement

Ecology Mitigation and Enhancement Strategy - Revision A (EPSecology Ltd) September 2015

Supplementary Factual Investigation Report - RP5932

Phase 1 Desk Top Study and Phase 2 Geotechnical and Geo-Environmental Investigation Report – RP5844

Archaeological Desk Based Study (Context One Archaeological Services Ltd)

Topographical Survey – I2709_L01.08

Accommodation Schedule Rev H

Tree Survey – 04356

Tree Protection Plan – 04356TPP

Levels and Drainage Layout Sheet 1 – C151195/C/100 Rev C

Levels and Drainage Layout Sheet 2 – C151195/C/101 Rev C

Hardworks Plan – I2097 L93.01 Rev D

Proposed Boundary Treatment Plan - I2097 L93.02 Rev D

Softworks Plan and Planting Plan - I2097 L94.01 Rev D

Illustrative Bus Stop Access – I2079 L93.04

Typical Tree Pit and Planting Details – I2097 L94.02 Rev A

Boundary Wall Elevations - I2097 L93.03 Rev B

Proposed Site Layout – I2709 L01.01 Rev P

Site Location Plan - I2709 L01.03 Rev B

Proposed Illustrative Masterplan - I2709 L01.02 Rev F

Artists Perspective – I2709 SK150612_01 Rev A

Artists Perspective – I2709 SK150612_02 Rev A

Artists Perspective – I2709 SK150612_03 Rev A

Street Elevations Sheet 01 – I2709_L01_05 Rev D
Street Elevations Sheet 02 – I2709_L01_06 Rev D
Street Elevations Sheet 03 – I2709_L01_07 Rev D

Proposed Site Sections – I2709_L01.08

Garden Compliance Plan – I27069_L94_03 Rev B

Housetype 304 A – Three Bed – LTH Compliant Ground Floor Plan - I2709 304 A 02.00
Housetype 304 A – Three Bed – LTH Compliant First Floor Plan - I2709 304 A 02.01
Housetype 304 A – Three Bed – LTH Compliant Elevations - I2709 304 A 04.00

Housetype 310 A – Three Bed Ground Floor Plan – I2709 310 A 02.00
Housetype 310 A – Three Bed First Floor Plan – I2709 310 A 02.01
Housetype 310 A – Three Bed Elevations – I2709 310 A 04.00

Housetype A10 A – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 A 02.00 Housetype
A10 A – One Bed – LTH Compliant First Floor Plan - I2709 A10 A 02.01
Housetype A10 A – One Bed – LTH Compliant Elevations - I2709 A10 A 04.00

Housetype A10 B – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 B 02.00 Housetype
A10 B – One Bed – LTH Compliant First Floor Plan - I2709 A10 B 02.01
Housetype A10 B – One Bed – LTH Compliant Elevations - I2709 A10 B 04.00

Housetype A23 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A23 A 02.00
Housetype A23 A – Two Bed – LTH Compliant First Floor Plan - I2709 A23 A 02.01
Housetype A23 A – Two Bed – LTH Compliant Elevations - I2709 A23 A 04.00

Housetype A25 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A25 A 02.00
Housetype A25 A – Two Bed – LTH Compliant First Floor Plan - I2709 A25 A 02.01
Housetype A25 A – Two Bed – LTH Compliant Elevations - I2709 A25 A 04.00

Housetype A32 A – Three Bed Ground Floor Plan – I2709 A32 A 02.00
Housetype A32 A – Three Bed First Floor Plan – I2709 A32 A 02.01
Housetype A32 A – Three Bed Elevations – I2709 A32 A 04.00
Housetype A36 A – Three Bed Ground Floor Plan – I2709 A36 A 02.00
Housetype A36 A – Three Bed First Floor Plan – I2709 A36 A 02.01

Housetype A36 A – Three Bed Elevations – I2709 A36 A 04.00

Housetype A41 A – Four Bed – LTH Compliant Ground Floor Plan - I2709 A41 A 02.00

Housetype A41 A – Four Bed – LTH Compliant First Floor Plan - I2709 A41 A 02.01

Housetype A41 A – Four Bed – LTH Compliant Elevations - I2709 A41 A 04.00

Housetype Flat C – One Bed – LTH Compliant Ground Floor Plan - I2709 Flat C 02.00 Housetype

Flat C – One Bed – LTH Compliant First Floor Plan - I2709 Flat C 02.01

Housetype Flat C – One Bed – LTH Compliant Elevations - I2709 Flat C 04.00

Housetype H09 A – Four Bed – Ground Floor Plan - I2709 H09 A 02.00

Housetype H09 A – Four Bed – First Floor Plan - I2709 H09 A 02.01

Housetype H09 A – Four Bed – Elevation Variations - I2709 H09 A 04.00

Housetype H09 A – Four Bed – Gable / Rear Elevation - I2709 H09 A 04.01

Housetype H10 A – Three Bed – Ground Floor Plan - I2709 H10 A 02.00

Housetype H10 A – Three Bed – First Floor Plan - I2709 H10 A 02.01

Housetype H10 A – Three Bed – Elevation - I2709 H10 A 04.00

Housetype H10 B – Three Bed – Ground Floor Plan - I2709 H10 B 02.00

Housetype H10 B – Three Bed – First Floor Plan - I2709 H10 B 02.01

Housetype H10 B – Three Bed – Elevation - I2709 H10 B 04.00

Housetype H14 A – Two Bed – Ground Floor Plan - I2709 H14 A 02.00

Housetype H14 A – Two Bed – First Floor Plan - I2709 H14 A 02.01

Housetype H14 A – Two Bed – Elevation - I2709 H14 A 04.00

Housetype H15 A – Two Bed – Ground Floor Plan - I2709 H15 A 02.00

Housetype H15 A – Two Bed – First Floor Plan - I2709 H15 A 02.01

Housetype H15 A – Two Bed – Elevation Variations - I2709 H15 A 04.00

Housetype H15 A – Two Bed – Gable / Rear Elevation - I2709 H15 A 04.01

Housetype H15 B – Two Bed – Ground Floor Plan - I2709 H15 B 02.00

Housetype H15 B – Two Bed – First Floor Plan - I2709 H15 B 02.01

Housetype H15 B – Two Bed – Elevations - I2709 H15 B 04.00

Housetype H18 A – Two Bed – Ground Floor Plan - I2709 H18 A 02.00

Housetype H18 A – Two Bed – First Floor Plan - I2709 H18 A 02.01

Housetype H18 A – Two Bed – Elevation Variations - I2709 H18 A 04.00

Housetype H22 A – Four Bed – Ground Floor Plan - I2709 H22 A 02.00

Housetype H22 A – Four Bed – First Floor Plan - I2709 H22 A 02.01

Housetype H22 A – Four Bed – Elevation Variations - I2709 H22 A 04.00, it is recommended to: **Grant Conditionally Subject to a S106 Obligation** Recommending approval subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (28th October 2015) or other date agreed through an extension of time.

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:

Topographical Survey – I2709_L01.08

Tree Protection Plan – 04356TPP

Levels and Drainage Layout Sheet 1 – C151195/C/100 Rev C

Levels and Drainage Layout Sheet 2 – C151195/C/101 Rev C

Hardworks Plan – I2097 L93.01 Rev D

Proposed Boundary Treatment Plan - I2097 L93.02 Rev D

Softworks Plan and Planting Plan - I2097 L94.01 Rev D

Illustrative Bus Stop Access – I2079 L93.04

Typical Tree Pit and Planting Details – I2097 L94.02 Rev A

Boundary Wall Elevations - I2097 L93.03 Rev B

Proposed Site Layout – I2709 L01.01 Rev P

Site Location Plan - I2709 L01.03 Rev B

Proposed Illustrative Masterplan - I2709 L01.02 Rev F

Artists Perspective – I2709 SKI50612_01 Rev A

Artists Perspective – I2709 SKI50612_02 Rev A

Artists Perspective – I2709 SKI50612_03 Rev A

Street Elevations Sheet 01 – I2709_L01_05 Rev D

Street Elevations Sheet 02 – I2709_L01_06 Rev D
Street Elevations Sheet 03 – I2709_L01_07 Rev D
Proposed Site Sections – I2709_L01.01
Garden Compliance Plan – I27069_L94_03 Rev B
Housetype 304 A – Three Bed – LTH Compliant Ground Floor Plan - I2709 304 A 02.00
Housetype 304 A – Three Bed – LTH Compliant First Floor Plan - I2709 304 A 02.01
Housetype 304 A – Three Bed – LTH Compliant Elevations - I2709 304 A 04.00
Housetype 310 A – Three Bed Ground Floor Plan – I2709 310 A 02.00
Housetype 310 A – Three Bed First Floor Plan – I2709 310 A 02.01
Housetype 310 A – Three Bed Elevations – I2709 310 A 04.00
Housetype A10 A – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 A 02.00 Housetype
A10 A – One Bed – LTH Compliant First Floor Plan - I2709 A10 A 02.01
Housetype A10 A – One Bed – LTH Compliant Elevations - I2709 A10 A 04.00
Housetype A10 B – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 B 02.00 Housetype
A10 B – One Bed – LTH Compliant First Floor Plan - I2709 A10 B 02.01
Housetype A10 B – One Bed – LTH Compliant Elevations - I2709 A10 B 04.00
Housetype A23 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A23 A 02.00
Housetype A23 A – Two Bed – LTH Compliant First Floor Plan - I2709 A23 A 02.01
Housetype A23 A – Two Bed – LTH Compliant Elevations - I2709 A23 A 04.00
Housetype A25 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A25 A 02.00
Housetype A25 A – Two Bed – LTH Compliant First Floor Plan - I2709 A25 A 02.01
Housetype A25 A – Two Bed – LTH Compliant Elevations - I2709 A25 A 04.00
Housetype A32 A – Three Bed Ground Floor Plan – I2709 A32 A 02.00
Housetype A32 A – Three Bed First Floor Plan – I2709 A32 A 02.01
Housetype A32 A – Three Bed Elevations – I2709 A32 A 04.00
Housetype A36 A – Three Bed Ground Floor Plan – I2709 A36 A 02.00
Housetype A36 A – Three Bed First Floor Plan – I2709 A36 A 02.01
Housetype A36 A – Three Bed Elevations – I2709 A36 A 04.00
Housetype A41 A – Four Bed – LTH Compliant Ground Floor Plan - I2709 A41 A 02.00
Housetype A41 A – Four Bed – LTH Compliant First Floor Plan - I2709 A41 A 02.01
Housetype A41 A – Four Bed – LTH Compliant Elevations - I2709 A41 A 04.00
Housetype Flat C – One Bed – LTH Compliant Ground Floor Plan - I2709 Flat C 02.00 Housetype
Flat C – One Bed – LTH Compliant First Floor Plan - I2709 Flat C 02.01
Housetype Flat C – One Bed – LTH Compliant Elevations - I2709 Flat C 04.00
Housetype H09 A – Four Bed – Ground Floor Plan - I2709 H09 A 02.00
Housetype H09 A – Four Bed – First Floor Plan - I2709 H09 A 02.01
Housetype H09 A – Four Bed – Elevation Variations - I2709 H09 A 04.00
Housetype H09 A – Four Bed – Gable / Rear Elevation - I2709 H09 A 04.01

Housetype H10 A – Three Bed – Ground Floor Plan - I2709 H10 A 02.00
Housetype H10 A – Three Bed – First Floor Plan - I2709 H10 A 02.01
Housetype H10 A – Three Bed – Elevation - I2709 H10 A 04.00
Housetype H10 B – Three Bed – Ground Floor Plan - I2709 H10 B 02.00
Housetype H10 B – Three Bed – First Floor Plan - I2709 H10 B 02.01
Housetype H10 B – Three Bed – Elevation - I2709 H10 B 04.00
Housetype H14 A – Two Bed – Ground Floor Plan - I2709 H14 A 02.00
Housetype H14 A – Two Bed – First Floor Plan - I2709 H14 A 02.01
Housetype H14 A – Two Bed – Elevation - I2709 H14 A 04.00
Housetype H15 A – Two Bed – Ground Floor Plan - I2709 H15 A 02.00
Housetype H15 A – Two Bed – First Floor Plan - I2709 H15 A 02.01
Housetype H15 A – Two Bed – Elevation Variations - I2709 H15 A 04.00
Housetype H15 A – Two Bed – Gable / Rear Elevation - I2709 H15 A 04.01
Housetype H15 B – Two Bed – Ground Floor Plan - I2709 H15 B 02.00
Housetype H15 B – Two Bed – First Floor Plan - I2709 H15 B 02.01
Housetype H15 B – Two Bed – Elevations - I2709 H15 B 04.00
Housetype H18 A – Two Bed – Ground Floor Plan - I2709 H18 A 02.00
Housetype H18 A – Two Bed – First Floor Plan - I2709 H18 A 02.01
Housetype H18 A – Two Bed – Elevation Variations - I2709 H18 A 04.00
Housetype H22 A – Four Bed – Ground Floor Plan - I2709 H22 A 02.00
Housetype H22 A – Four Bed – First Floor Plan - I2709 H22 A 02.01
Housetype H22 A – Four Bed – Elevation Variations - I2709 H22 A 04.00

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 details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development 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 for Pre-commencement:

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: CONDITION: CODE OF PRACTICE DURING CONSTRUCTION

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

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

Justification for Pre-commencement

To ensure that the construction phase does not unduly impact on local amenity such as disturbance to local residents or disruption to traffic and parking.

PRE-COMMENCEMENT: FURTHER DETAILS

(5) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, Street Lighting; wheel tracking plans and details of the widening of the shared surface access-way that links the two cul-de-sac ends together; associated junction alterations in Coombe Lane; provision of a pedestrian footpath link and improvements to the closest bus stop on Tamerton Foliot Road to the southwest of the application site . The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

Justification for Pre-commencement

To ensure that the development can reasonably accommodate the external design / layout / levels / gradients / materials etc that are acceptable to the local planning authority.

PRE-COMMENCEMENT: STREET DETAILS

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

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

Justification for Pre-commencement

To ensure that the development can reasonably accommodate the external design / layout / levels / gradients / materials etc that are acceptable to the local planning authority

PRE-COMMENCEMENT: SECTION 106

(7) Prior to the commencement of development (and upon the Council as local planning authority confirming that it has executed the attached form of Agreement to be entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in readiness and that it is prepared to complete the same unconditionally) the freehold owner(s) of the site the subject of this Permission shall enter into the said Agreement with the Council.

Reason:

In order to safeguard the validity of the legal agreement in accordance with Policy CS33 of the Local Development Framework Core Strategy (2006-2021) 2007.

Justification for Pre-commencement

To ensure all legal issues are adequately resolved.

PRE-DPC LEVEL: SURFACING MATERIALS

(8) No development above DPC level shall take place until details, including samples, of all materials to be used to surface external areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

PRE-DPC LEVEL: SUSTAINABILITY

(9) No development above DPC level shall take place until details have been submitted to and approved in writing by the Local Planning Authority of how the 15% carbon savings will be delivered. The details shall accord with the submitted Energy and Carbon Reduction Strategy. The development shall be carried out in accordance with the approved details and the on-site renewable energy methods installed prior to occupation of the dwellings.

Reason:

To deliver on-site renewable energy in accordance with policy CS20 of the Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

PRE-DPC LEVEL: LIFETIME HOMES

(10) No development above DPC level shall take place until full details demonstrating how the proposed development will deliver 20% of residential units to Lifetime Homes criteria and showing how each of these dwellings meets all possible criteria for Lifetime Homes. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

Pre-occupation Conditions

PRE-OCCUPATION: CAR PARKING PROVISION

(11) The dwellings shall not be occupied until the car parking areas shown on the approved plans has been drained and surfaced in accordance with the approved details, and that area shall not thereafter 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.

PRE-OCCUPATION: LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

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

PRE-OCCUPATION: LANDSCAPE AND ECOLOGY MANAGEMENT PLAN

(13) A landscape and ecology management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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.

PRE-OCCUPATION: REAR PROPERTY ACCESS

(14) All gates to private pathways and the rear of properties shall have gates and locks installed with key access further details of which shall be submitted to and approved in writing by the Local Planning Authority. The locks/gates shall be installed prior to occupation and shall conform to the approved details.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policy CS32 of the Plymouth Local Development framework Core Strategy and Government advice contained in the NPPF.

Other Conditions

CONDITION: EXTERNAL MATERIALS

(15) The development shall be carried out in accordance with the approved external materials (HardiePlank Timber Bark, Heathered Moss and Iron Gray, Russell Tile Slate Finish, Ibstock Ivanhoe Katrina Multi). No changes to the approved materials shall take place unless previously agreed in writing by the Local Planning Authority.

Reason:

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

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

(16) Notwithstanding the provisions of Article 3 and Classes A, B, C and D 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, and porches shall be constructed to the dwellings hereby approved.

Reason:

In order to protect the residential and general amenity of the area, 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: REPORTING OF UNEXPECTED CONTAMINATION

(17) 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: COMPLETION OF ROADS AND FOOTWAYS

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

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

CONDITION: DRIVEWAY GRADIENT

(19) The driveway to the dwelling(s) hereby permitted shall not be steeper than 1 in 10 at any point.

Reason:

To ensure that safe and usable off street parking facilities are provided 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.

CONDITION: BIODIVERSITY

(20) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy Revision A (EPS Ecology, September 2015).

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF paragraphs 109, 118.

CONDITION: SECURE BY DESIGN

(21) The development shall achieve Parts 1 and 2 of the Secure By Design award in accordance with the approved details.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policy CS32 of the Plymouth Local Development framework Core Strategy and Government advice contained in the NPPF.

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 including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

(3) No work within the public highway should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. The applicant should contact Plymouth Transport and Highways for the necessary approval.

INFORMATIVE: PUBLIC HIGHWAY APPROVAL

(4) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate Permit must be obtained before works commence.

INFORMATIVE: NOISE

(5) The applicant is advised that BS8233:2014 recommends that sound insulation against externally generated noise should be present so as to achieve the levels as described in Table 4 of the guidance. Meaning there must be no more than 35 dB LAeq for living rooms and bedrooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).