

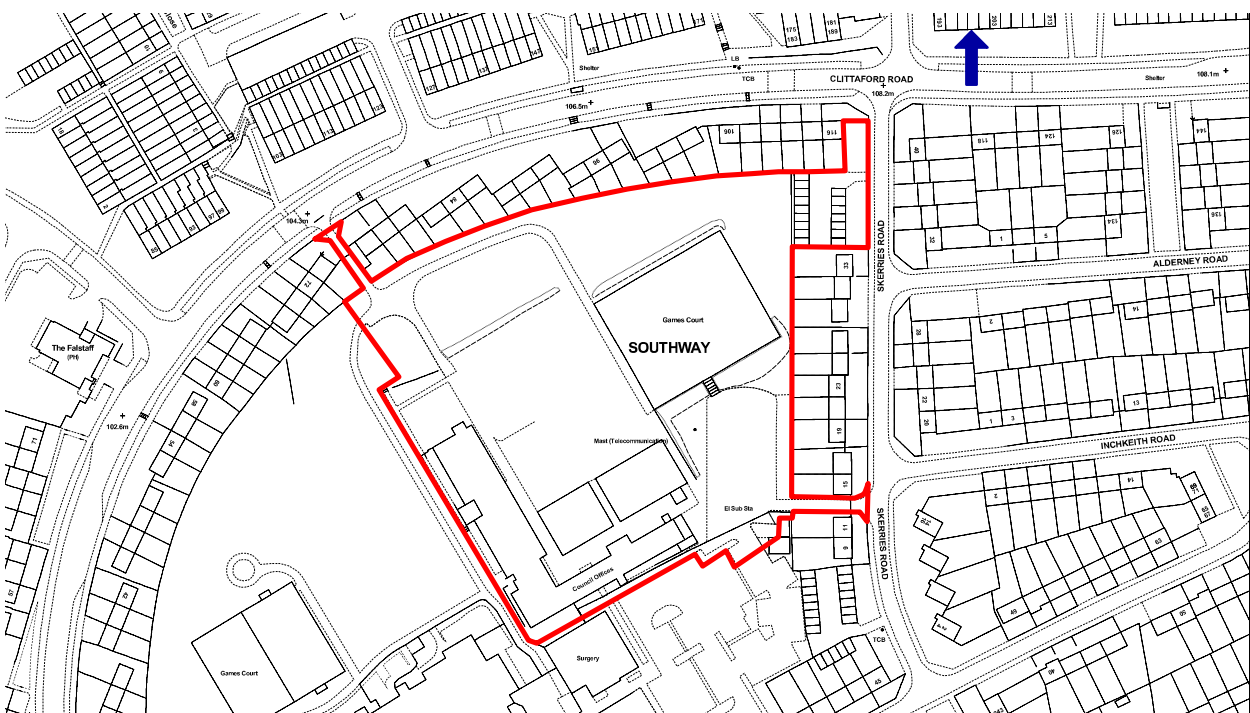
PLANNING APPLICATION REPORT



Application Number	15/01906/FUL	Item	05
Date Valid	27/10/2015	Ward	Southway

Site Address	FORMER SOUTHWAY SECONDARY SCHOOL, LAND WEST OF SKERRIES ROAD PLYMOUTH		
Proposal	Construction of 67 dwellings with parking		
Applicant	Plymouth Community Homes		
Application Type	Full Application		
Target Date	11/03/2016	Committee Date	Planning Committee: 11 February 2016
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Rebecca Boyde		
Recommendation	Grant Conditionally Subject to a S106 Obligation Delegated to Assistant Director of Strategic Planning and Infrastructure to refuse if not signed within agreed timescales		

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1. Description of site

The site is located on the former Southway Secondary School site which is located within an established residential area which is mainly characterised by post-war two storey terraced and semi-detached housing. The school has been demolished. The proposed use of the site will be for 100% affordable residential dwellings with associated landscaping and highway works. The scheme will provide a balanced 67 affordable housing mix with associated parking and landscaped grounds. The proposal comprises of a mixture of flats and a selection of housing types.

2. Proposal description

Construction of 67 dwellings with parking

3. Pre-application enquiry

None

4. Relevant planning history

15/02093/FUL- Change of use to provide parking, permitted

5. Consultation responses

Local Highways Authority recommends approval subject to conditions

Public Protection Service recommends approval subject to conditions

Housing Delivery Team supports the proposal

Wales and West have no objections but the applicant is advised to discuss and contact them directly prior to commencement

Police Architectural Liaison Officer no objection subject to comments

Sport England has no comments to make as there are no playing pitches on the site

Tree officer has no objections subject to appropriate mitigation

6. Representations

17 letter of objections have been received and one letter of support. The main reasons for objections are:-

- Overlooking/ impact upon privacy

- Traffic increase
- Over development
- Pressure on schools
- Loss of parking
- Pollution
- Loss of green space

The letter of support outlined the housing shortage and the need for affordable housing.

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 Council's adopted planning policy in the form of the Local Development Framework Core Strategy 2007 CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations,) the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.

2. This application proposes to develop the site for a residential development of 67 residential units including associated access road, landscaping and public open space. It is considered that the main issues in the determination of this application are; the principle of the proposed development; the impact that it will have on the character and appearance of the area; impact upon nearby properties; and impact upon the surrounding highway network.

3. The site is located on the former Southway Secondary School site which is located within an established residential area which is mainly characterised by post-war two storey terraced and semi-detached housing. The school has since been demolished. The proposed use of the site will be for 100% affordable residential dwellings with associated landscaping and highway works. The scheme will provide 67 affordable dwellings with associated parking and landscaped grounds. The proposal comprises of a mixture of flats and a selection of housing types.

Impact upon the character and appearance of the area and visual amenity

6. Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) refers to siting, layout, orientation, local context and character. New development proposals are required to take account of the existing context and the criteria referred to. The form and use of existing development in the area is fairly consistent, the area is characterised by residential development mainly comprising of semi-detached and detached properties, on fairly large, generously proportioned plots.

7. The NPPF states that LPAs should set out their own approach to housing density to reflect local circumstances. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre. It is considered that the proposed density level at the site is similar to that in the surrounding area which is characterised by semi-detached and terraced dwellings. It is officers' opinion that this is considered acceptable.

8. With regards to layout generally, the proposal is reflective of the existing built form in the area by providing flats and semi-detached dwellings in an area that is characterised by semi-detached and terraced dwellings. There will only be one entrance to the site which will be located off Skerries Road.

9. The access will be created through the demolition of some garages however there will not be a loss of parking as a result of the demolition of the garages as planning application 15/02093/FUL allowed for new parking spaces to be created in the surrounding area. The dwellings provide surveillance of the road to improve security for future residents. The plot sizes are consistent with the existing development in the area and the site layout respects the established pattern of development in this part of Southway.

10. With regards to massing, design and external appearance, the whole site follows the same design form. The house types proposed provide variation to the street scenes and has an appropriate mix of modern and traditional features that help to present external appearances that officers' consider acceptable in the context. The form, scale and design of the external envelope to the units are considered complimentary to the surrounding area, providing an individual and appealing design.

11. In summary, it is officers' view that the proposals will provide a well thought out development that is easy to get to and move through and around (for both vehicles and pedestrians). The proposed development provides a good quality housing scheme that in terms of scale, massing and design is sensitive to the character and appearance of the existing surrounding development, making a positive contribution to local visual amenity. The layout and design of the development is therefore considered acceptable and in accordance with Core Strategy policy CS02, CS34 and part 4 of the Design SPD.

Residential Amenity

12. It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

13. The layout of the site has been arranged in order to minimise impact on the surrounding properties. The flats that are proposed are located in the centre of the scheme to ensure no detrimental impact will occur on the existing residential properties. The site is bounded by residential properties however it is considered that the proposed new dwellings are situated far enough from the existing dwellings to not impact upon privacy.

14. The layout of the site has been arranged so that the relationship between the proposed dwellings within the site is acceptable. In summary, it is considered that there will be no significant residential amenity conflict created between the existing dwellings and proposed development and the application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

15. The units meet the now redundant minimum size standards of the Development Guidelines SPD and also the National Technical size standards, and there is no objection to the internal layout.

16. It is not considered that the proposed units will give rise to any overlooking issues. The properties all front onto the new highway which will provide natural surveillance for the street. On this basis, the proposal is not considered to harm the amenities of adjacent residents, and also provides sufficient amenity for future occupiers in accordance with Core Strategy Policy CS15.

Public Protection comments

17. The site is located in a mixed use area and is partly surrounded by existing houses, the occupiers of which are likely to be sensitive to development. Because of this a condition will be attached which states that prior to the commencement of development the developer should comply with the Council's own Code of Practice for Construction. Compliance with this should be stated in writing prior to the start of any Construction works.

Local Highway Authority comments

18. A Transport Statement has been provided in support of the proposal which demonstrates that the level of traffic generated by the proposed development will be minimal and will not give rise to issues on the local highway network. The conclusions within the report are accepted by officers' and any impacts are not considered to be severe, making reference to NPPF.

19. The former school site has been partially developed and the remaining land is now subject to this application. The former access to the school site has been developed to serve the adjoining development. As a result the existing vehicular access into this development site is not suitable to cater for residential development. Therefore a route is proposed from Skerries Road by way of demolishing a garage block and constructing a residential estate road with footways.

20. The loss of the garages, which are in the applicants' control and ownership and are rented to local residents, is considered to be a loss to public amenity. Off-street parking / local amenity is protected by Policy and as such it is important that replacement parking is provided to off-set the loss of the garages. It is noted that this is indeed the intention of the applicant and will be dealt with under a separate planning application. However, in order to ensure effective and timely delivery of an alternative parking solution it is recommended that a Grampian condition is attached to any grant of consent to ensure that the replacement provision is provided before the garages are demolished.

21. The proposed estate road is of sufficient standard and design to accommodate the proposed development. Visibility has been demonstrated to achieve 2.4m x 33m which complies with the current standards for a 20mph speed limit, such as is enforced in this location.

22. The existing access into the garage court will be redundant and should be re-instated to full footway construction. Following some initial points of clarification on the proposed layout the applicant has produced a scheme which is suitable for adoption, in the main, as Highway Maintainable at Public Expense, HMPE, by the Local Highway Authority. The proposed streets provide a mix of standard estate roads and shared streets whilst providing connections to existing footpath links to the local area.

23. In this regard the existing vehicular access onto Skerries Road should be downgraded to a pedestrian link only. This will require the existing bellmouth junction to be re-instated as footway and split pedestrian barriers provided at the rear of the existing footway line. The route should be surfaced and lit in accordance with details to be submitted and approved. School keep clear markings should be effectively and permanently removed from the carriageway.

24. The existing footpath link onto Clittaford Road is also currently formed as a bellmouth arrangement. However a pedestrian guardrail prevents vehicular access. It is noted that an adjoining property has a vehicle crossing to serve its garage on the radius of the existing bellmouth. The route provides access to a gated access into Beechwood Primary School. This gate is unlocked during school arrival and departure times and would provide a desire link from the new housing estate. Due to the potential increase in use of this route, and the requirement to provide a safe and satisfactory access arrangement, the applicant is required to submit a detail to improve this link. As per the link from Skerries Rd the route must be surfaced and lit to an agreed standard, to be agreed with the Highway Authority.

25. At this time it is suggested that the footway is re-instated across the bellmouth and the existing guardrail removed. Block paving could then be used to denote the shared use of this area, up to the point of the private drive. Beyond that the link would be surfaced to pedestrian standard only. Priority should be demarcated on site for pedestrians traversing along Clittaford Road.

26. Any works to these points of access will be subject to the provision of a Section 278, Highways Act 1980, and should be completed prior to the penultimate occupation. The proposed development has sufficient parking which has been allocated to each property. A ratio of 1.78 spaces per dwelling is provided across the site, or 119 in total. The maximum permitted standard would equate to 128 spaces so the proposal conforms to the maximum parking standards as identified with the Development Guidelines SPD.

27. Cycle storage is proposed in accordance with the minimum standards in the form of purpose built storage or sheds will be provided. Each dwelling will have the ability to store 1 cycle. All units are to be secure and covered.

28. The proposed estate road consists of 5 internal roads. After the initial estate road connection onto Skerries Road the estate is served by way of a shared surface. This helps maintain low vehicle speeds throughout. It is suggested that Roads 4 and 5 would be more suitable as 'private' roads and therefore a management company will need to be appointed.

29. The detailed design of the road will be subject to the provisions of Section 38, Highways Act 1980 and will therefore undergo a full technical design review within that process.

30. However, it is noted that the proposed dwelling adjacent to the link to Clittaford Road has its parking space adjacent to the point where the footpath link meets the shared surface. Although the proposed estate road, at this point, is proposed as a shared street and such does not have a footway there could be an element of conflict between pedestrians and vehicles manoeuvring into or from the parking space. A vehicle would effectively need to drive along the service strip / shared footway at a point where pedestrians will join the estate.

31. A hedge, or planting, is proposed adjacent to the parking space and to ensure that maximum visibility is achieved it is suggested that this should be a low level shrub or reduced in the length if otherwise.

32. Road 4 is shown as a tarmac street to serve a parking court. There is little public utility in this and a private street is considered to be more suitable. Due to the location of the site and the fact that it is surrounded by residential properties a strict code of practice during the construction should be complied with. This should be subject to and controlled by way of a condition.

33. To conclude the applicant proposes to construct 67 dwellings with associated access and parking. The applicant has submitted a Transport Statement of which the conclusions are accepted. The development provides sufficient car and cycle parking to meet its demand and pedestrian links to the surrounding highway network will be upgraded accordingly. The loss of the garages can be overcome by a replacement scheme in the locale and it is understood that this is subject to its own planning application.

Housing delivery

34. This application proposes 67 units of housing, all of which would be affordable, as defined by the National Planning Policy Framework (NPPF), and compliant with the Council's Planning Obligations and Affordable Housing SPD 2nd Review (2012). This is well in excess of the policy requirement outlined in the Local Plan policy CS15, which requires that a minimum of 30% of any development submitted for planning permission should be affordable as defined by the NPPF.

35. The tenure mix would be for 42 (63%) of the properties to be Affordable Rent and 25 (37%) for Shared Ownership, a form of 'intermediate' affordable housing for sale.

The unit mix is as follows:

Rented Units

6x1 bed flats

6x2 bed flats

6x2 bed houses

21x 3 bed houses

3x 4 bed houses

Shared Ownership Units

15x 2 bed houses

10x 3 bed houses

36. It is considered that the tenure mix for this application is supportable and will help meet the needs of first time buyers or those who cannot afford to purchase a property on the open market. It will also provide new opportunities for those who are in need of affordable rented housing to secure a home. Information from Devon Home Choice, the Councils' register of housing need shows that there are now 12,927 applicants for affordable rented housing in Plymouth.

Other Issues

37. Policy CS20 (Sustainable Resource Use) of the adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the period 2010 – 2016.

38. In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed dwellings. These will be almost flush with the roofline and will only have a minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no

air pollution or hazardous waste. The use of Photovoltaic Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

5 year housing supply

39. When determining applications for residential development it is important to give consideration to housing supply.

40. 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”*

41. 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.”*

42. For the reasons set out in the Authority’s Annual Monitoring Report (December 2013) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2014-19 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 5,536 dwellings which equates to a supply of 3.16 years when set against the housing requirement as determined by the requirements of the NPPF or 2.64 years supply when a 20% buffer is also applied.

43. 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.

44. 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...”*

45. 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”*

46. 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.

47. Due to the need to accelerate housing delivery 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8) (Delivering Adequate Housing Supply), paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan.

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 £174,481.47 (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, see www.plymouth.gov.uk/cil for guidance.

The applicant has indicated that they intend to apply for 100% Social Housing Relief. If agreed, the final liability will be £0.

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:

- £90,000 for education which will allow for primary places, for school expansion

All 67 affordable units will also be secured through the S106 agreement.

12. Equalities and Diversities

The units will be affordable and will be available for all members of the public and it is therefore not considered that there will be any prejudice against any specific group

13. Conclusions

To summarise, this application will provide 67 new affordable dwellings with associated car parking and landscaping.

It is considered that the application proposes a good quality housing development with a layout that is sensitive to the existing pattern of development in the area and constraints of the site. The design of the dwellings is relatively contemporary although the form of the development is traditional, with consistency in appearance achieved through subtle repetition of key features and materials.

Officers consider that the proposed development would not impact significantly upon nearby properties residential amenities due to the layout and orientation of the proposed dwellings and would not harm the surrounding highway network, providing adequate levels of off street car parking. The application is therefore recommended for approval, subject to conditions and the satisfactory completion of a S106 legal agreement.

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 therefore recommends

13. Recommendation

In respect of the application dated **27/10/2015** and the submitted drawings Foul Sewerage and utilities statement, Ecological mitigation and enhancement strategy, Transport statement, Flood risk assesment, AP(0)001, 6304_AP(0)109, 6304_AP(0)108, 6304_AP(0)107, 6304_AP(0)110, 6304_AP(0)111, 6304_AP(0)005A, 6304AP(0)006A, 6304 AP 007A, 6304AP(0)008A, 6304 AP(0)009, 6304AP(0)010, 6304AP(0)101, 6304AP(0)102, 6304AP(0)011, 6304AP(0)013, 6304AP(0)012, 6304 AP(0)015, 6304AP(0)014, 6304AP(0)016, 6304AP(0)017, 6304AP(0)026, 6304 AP(0)024, 6304AP(0)025, 6304AP(0)027, 6304AP(0)019, 6304AP(0)018,6304AP(0)020, 6304AP(0)023, 6304,AP(0)022, 6304AP(0)028, 66304, AP(0)029, 6304AP(0)003, 6304AP(0)030A, h101p1, 6304ap(0)002, 6304ap(0)031 h100p1, 1539/2/TPP, it is recommended to: **Grant Conditionally Subject to a S106 Obligation** Delegated to Assistant Director of Strategic Planning and Infrastructure to refuse if not signed within agreed timescales

14. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(1) The development hereby permitted shall be begun before the expiration of two 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: AP(0)001, 6304_AP(0)109, 6304_AP(0)108, 6304_AP(0)107, 6304_AP(0)110, 6304_AP(0)111, 6304_AP(0)005A, 6304AP(0)006A, 6304 AP 007A, 6304AP(0)008A, 6304 AP(0)009, 6304AP(0)010, 6304AP(0)101, 6304AP(0)102, 6304AP(0)011, 6304AP(0)013, 6304AP(0)012, 6304 AP(0)015, 6304AP(0)014, 6304AP(0)016, 6304AP(0)017, 6304AP(0)026, 6304 AP(0)024, 6304AP(0)025, 6304AP(0)027, 6304AP(0)019, 6304AP(0)018, 6304AP(0)020, 6304AP(0)023, 6304,AP(0)022, 6304AP(0)028, 66304, AP(0)029, 6304AP(0)003, 6304AP(0)030A, h101p1, 6304ap(0)002, 6304ap(0)031 h100p1, 1539/2/TPP

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: CONTAMINATED LAND

(3) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. 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'.

Section 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and 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.

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in the replaced PPS23 as a validation 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.

Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

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. To ensure risks are minimised of future occupiers of the land

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 . To ensure residents are not disturbed by the development

PRE-COMMENCEMENT: STREET DETAILS

(5) 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. To ensure highway safety

PRE-COMMENCEMENT: ACCESS (CONTRACTORS)

(6) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012. To ensure highway safety

PRE-COMMENCEMENT: ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)

(7) No development shall take place until details of improvements to the existing points of access onto Skerries Road and Clittaford Road to re-instate footways and provide a surfaced and lit pedestrian route into the site hereby permitted have been submitted to and approved in writing by the LPA. Furthermore no occupation of the penultimate dwelling is permitted until such time that the approved works as shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012. To ensure highway safety

PRE-COMMENCEMENT: (GRAMPIAN) – REPLACEMENT PARKING PROVISION DUE TO LOSS OF GARAGES

(8) No development shall take place on site until details of replacement parking provision, to off-set the loss of the garages, has been submitted to and approved in writing by the LPA. Furthermore the garages shall not be demolished until such time that the replacement parking has been provided.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 and protection to public amenity in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007. To ensure highway safety

PRE-COMMENCEMENT CONDITION: RENEWABLE ENERGY

(9) The development shall be completed in accordance with the Energy Statement prepared by Energy Compliance Ltd. This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production together with the proposed installation size. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority details of the locations of the on-site renewable energy production methods (in this case Photovoltaic Cells) for approval. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF. To ensure the development complies with renewable energy and sustainability

PRE-COMMENCEMENT CONDITION: LANDSCAPE AND PUBLIC REALM

(10) Prior to commencement further information is required relating to hard landscaping.

In addition we will require:

Hard Landscape Details

The current application contains insufficient detail to consider the acceptability of the hard and soft landscape proposals. The applicant should provide:

- Full specifications for all proposed external materials, boundary treatments, street furniture and lighting.

- Hardworks drawings (min 1:200) indicating the arrangement of surface materials, boundary details, thresholds, steps, kerbs, utility covers etc.
- Hardworks details (1:20 scale or as appropriate) for all necessary elements and interfaces between key materials.
- Full soft landscape specification including (but not limited to); tree and plant species and size (to HTA standards), soil details, planting spec and establishment care, etc.
- Drawings identifying the arrangement of proposed soft landscape elements and soil layouts (min 1:200 scale). Plans should include a planting schedule for reference.
- Drawings identifying planting details (1:20 scale or as appropriate) such as tree pit details, tree protection details, hedge planting, typical planting details etc.

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. To ensure the public realm

PRE- COMMENCEMENT CONDITION: LANDSCAPE MANAGEMENT PLAN

(11) Prior to commencement a Landscape management plan is required that clearly identifies areas of management responsibility and outlines in detail how each element of the landscape will be managed and maintained. Please note: the Landscape Management Plan should include a commitment to replace and dead or defective planting stock for a period of 5 years.

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. To ensure the public realm

Pre-occupation Conditions

PRE-OCCUPATION: SECURE BY DESIGN

(12) All gates to private pathways giving access to the rear of all properties shall have gates with locks fitted with key access. Details of these shall be submitted to, approved by the Local Planning Authority, in writing, and shall be installed before any of the residential units requiring using the respective private paths are occupied.

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.

PRE-OCCUPATION: REINSTATEMENT OF FOOTWAY

(13) No dwelling shall be occupied until the existing footway crossing (to become redundant) has been removed and the footway reinstated.

Reason:

In the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: PROVISION OF PARKING AREA

(14) 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.

PRE-OCCUPATION: CYCLE PROVISION

(15) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for at least 1 cycle per dwelling to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

Other Conditions

CONDITION: NOISE

(16) All dwellings shall be constructed in accordance with BS8233:2014 so as to provide sound insulation against externally generated noise. The levels as described in Table 4 of the guidance shall be applied, 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).

Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007

CONDITION: BIODIVERSITY

(17) 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 (dated September 2015) for the site which shall include a Construction Environment Management Plan and Landscape Ecology Management Plan.

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: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(18) 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 approved plans and particulars 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: COMPLETION OF ROADS AND FOOTWAYS

(19) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 7 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: PRESERVATION OF SIGHT LINES

(20) No structure, erection or other obstruction exceeding 600mm in height shall be placed, and no vegetation shall be allowed to grow above that height, within the approved sight lines to the site access at any time.

Reason:

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

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

(21) 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 the character 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.

Informatives

INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

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

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

(2) 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

(3) 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: ROADWORKS

(4) Any of the roadworks included in the application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980. The applicant should contact Plymouth Transport and Highways for the necessary approval.

INFORMATIVE: CODE OF PRACTICE

(5) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and
- c. Hours of site operation, dust suppression measures and noise limitation measures.

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

(6) 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.