

# PLANNING APPLICATION REPORT



<b>Application Number</b>	16/00163/FUL	<b>Item</b>	07
<b>Date Valid</b>	12/02/2016	<b>Ward</b>	Budshead

<b>Site Address</b>	LAND ADJACENT PLUMER ROAD, PLYMOUTH		
<b>Proposal</b>	Residential development of two apartment blocks containing a total of 61 apartments, undercroft parking, landscaping & associated works		
<b>Applicant</b>	Mr Anthony Gal		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>17/06/2016</b>	<b>Committee Date</b>	<b>Planning Committee: 09 June 2016</b>
<b>Decision Category</b>	Major - more than 5 Letters of Representation received		
<b>Case Officer</b>	Kate Saunders		
<b>Recommendation</b>	Grant Conditionally Subject to a S106 Obligation		

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## **1. Description of site**

The site is located at the junction of Tailyour Road and Hunter Close and has frontage on to both Plumer Road and Tavistock Road. It is approximately one mile from Derriford Hospital and four miles from the city centre.

The existing site is set predominantly on open space, with the exception of the transformer station to the south of the site and the single storey workshop to the north of the site. The workshop is now no longer in use and is in a state of disrepair. To the south of the site and to the middle of the site there are groupings of trees some of which are mature, but they are not subject to Tree Preservation Orders. To the north of the site there is an electricity pylon which supports cables running east to west.

The site has a level change of 5 metres across the site from west to east. To the boundary of the site there are a variety of building types. To the south of the site there is a 5 storey 1970's commercial office block on slightly elevated ground.

To the west of the site is a modern food retail unit. The portal frame building is two storeys in height. To the remainder of the periphery are a series of 2 storey domestic properties with pitched roofs. The exceptions are the properties on The Limes which are three storeys and are more modern in their construction.

## **2. Proposal description**

Residential development of two apartment blocks containing a total of 61 apartments, undercroft parking, landscaping & associated works

The proposed larger, southern block would contain a total of 44 flats (23 one-bedroom and 21 two-bedroom) arranged over 6 storeys

The smaller northern block would contain 17 apartments (7 one-bedroom and 10 two-bedroom) arranged over 4 floors.

## **3. Pre-application enquiry**

14/00496/MAJ- Generally supportive of the principle of development, potential tree and highways issues were raised.

Following the decision of Planning Committee to refuse the last application a post refusal meeting was held with the applicant. The refused scheme was also presented to the Devon Design Review Panel for comment. The Panel made a number of recommendations which have informed the current application and will be explained further below.

## **4. Relevant planning history**

15/00303/FUL - Residential development of two apartment blocks containing a total of 78 apartments, undercroft parking, landscaping and associated works – Refused

## **5. Consultation responses**

Health and Safety Executive – No objections

Highways Authority – No objections subject to conditions and a financial contribution towards the delivery of the Derriford Transport Scheme

Historic Environment Officer – No objection although advice provided on presence of historic embankment associated with Crownhill Fort

Housing Delivery Team – Supports the proposal

Natural Infrastructure Officer – No objections subject to conditions

Lead Local Flood Authority – No in principle objections but some further details have been requested regarding the infiltration system and exceedance flows.

Public Protection Service – No objections subject to conditions

South West Water – No objections subject to conditions and further information regarding the disposal of surface water

Western Power – No objections just observations on the form of the development in relation to the electrical equipment in the area

Tree Officer – No objections subject to the provision of replacement planting

## 6. Representations

Twenty seven letters of objection have been received and raise the following issues:

### Design

- Both blocks are unattractive, out of character and dominate the area
- Overdevelopment of the site
- Undercroft parking dominates street elevation
- Render will dirty and look tired
- Concern about possible fencing
- Scheme provides inadequate amenity space

### Highways/Parking

- Development will exacerbate existing parking problems in the area (used by nearby businesses)
- Number of parking spaces proposed is inadequate
- Proposal will add to capacity issues on Northern Corridor
- Concern about management of parking/visitors spaces
- Existing junctions in area are already difficult to exit
- Area already used as a drop off area for nearby nurseries and cadet building

### Other Issues

- Loss of trees and greenspace
- Existing trees should have TPOs
- Loss of trees will reduce wildlife
- Barn owls are found in the area

- Area should be used as a play area
- Development will contribute to climate change
- Will be a loss of light and privacy to existing properties
- Changes to existing bund could have noise implications for existing occupiers in the area
- Proximity of pylon could have health impacts for future occupiers
- Likely to increase flood risk in locality
- No disabled housing is being provided
- The north block shouldn't just be used as affordable housing
- Site is better suited to houses
- Area will be less safe and the development will increase crime
- Construction phase will cause unnecessary disturbance
- Developers public consultation was poor
- The application should be considered by Planning Committee

The issue of a loss of view has also been raised however 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 2<sup>nd</sup> Review Supplementary Planning Document

## 8. Analysis

1. This application has been considered in the context of the development plan, the emerging Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. The policies of most relevance to the consideration of this application are policies CS01 (Sustainable Linked Communities), CS02 (Design), CS15 (Housing Provision), CS18 (Plymouths Green Space), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS28 (Local Transport Considerations), CS33 (Planning Obligations), and CS34 (Planning Application Considerations) of the Plymouth Local Development Framework Core-Strategy 2007. The emerging policies of the Plymouth Plan have also been considered.

### Principle of Development

3. The site is in an existing residential area and is not identified as Greenspace within Plymouth's Greenspace Strategy. The principle of residential development is therefore considered acceptable subject to the following considerations.

### Housing Provision

4. When determining applications for residential development it is important to give consideration to housing supply. (Note: this could include student accommodation developments based on the amount of accommodation it released to the housing market )
5. 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”

6. 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.”
7. For the reasons set out in the Authority’s Annual Monitoring Report (January 2016) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2016-21 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 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.
8. 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.
9. 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...”
10. 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”
11. 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.
12. Due to the need to accelerate housing delivery a 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) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan.

Design

13. The previous application for the site was considered by Planning Committee on 30th July 2015 and was refused partly on design grounds. The refusal reason read:

*Out of Character*

14. *The Local Planning Authority considers that due to their scale and design the proposed buildings would be out of character with the surrounding area contrary to policies CS02 and CS34.4 of the Local Development Framework Core Strategy 2007 which are consistent with paragraphs 56, 57, 58 and 64 of the NPPF.*
15. The applicant has taken in to account the concerns of members and the public and has reduced the scale and massing of the development. The previous scheme proposed 78 apartments and this has now been limited to 61 units. Overall the scheme will accommodate 30 one-bedroom units and 31 two-bedroom units.
16. The reduction in the overall quantum of development has resulted in the height of the southern block being reduced to a maximum of 6 storeys. Furthermore the emphasis of the height is now focussed on the Plumer Road/Tailyour Road corner away from the nearest residential properties. The top floor also retains a significant set back to reduce the impact of this floor on the overall height of the building. The scale of the development steps down to four storeys on the northern edge adjacent to the existing three storey properties in The Limes. Officers consider these changes enhance the design and appearance of the building.
17. The site is located in a prominent position which will be visible from a key arterial route in to the City Centre from the north. In such a prominent location it is important for the development to positively address Tavistock Road which officers do not consider could be achieved with a building of a lower scale. Taking in to account the scale of existing development in the area, which includes the substantial Plumer House, alongside the highly visible location of the site officers do not consider the development will appear out of character or result in undue harm to the visual quality of the area.
18. The northern block will be located between 1-9 The Limes and the dwellings further to the north west effectively completing the corner. To the north of the site the existing dwellings are over three floors with a pitched roof. They are slightly elevated to the application site. The scale of the northern smaller block has been relatively unchanged from the previous application and is again considered to be in keeping with the scale and massing of existing development in the area.
19. The applicant also decided to utilise the Devon Design Review Panel following the previous refusal. The Design Review Panel made a number of observations and comments as follows:
- It is recommended that the proposals should, both in terms of architecture and landscape design, result in a development that incorporates a sense of local distinctiveness and sense of place.
  - The proposals may benefit from repositioning on the site.
  - Opportunity to provide large areas of amenity space on the flat roofs.
  - No concerns regarding scale subject to appropriate massing and articulation.
20. The revised scheme builds on the successful elements of the previous application whilst addressing the areas of concern to provide a coherent building that is more in keeping with the character and appearance of the area.

21. The list of materials has also been refined to take in to account the context of the building. The east elevation, which fronts The Limes and Hunter's Close, utilises materials that reflect the existing residential properties in the area with areas of render and brick. The west elevation, which fronts Tavistock Road, and is more susceptible to damage from pollution, uses large areas of Trespa cladding in two shades of grey. Feature projecting windows will then be highlighted with a red cladding to add to the attractiveness of the building. In order to try and ensure the quality of the building is maintained in to the future a maintenance schedule for the building will be secured by condition.
22. The changes in level across the site allow for undercroft parking to be provided at the lower level. This does however result in the Limes elevation having a relatively blank inactive ground floor. In order to improve the aesthetic quality of this elevation a metal mesh will be used with climbing plants then introduced which should be able to grow up over the mesh to create a "green wall" to the benefit of the character of the area.

### Trees and Landscaping

23. The existing site is a non-level grassed area containing a number of mature trees. While the area is not formally identified as greenspace, it does provide some amenity value particularly the visual amenity of the trees. As was the case with the previous proposal for the site the applicant has sought to retain some mature trees to the north of the southern block. This area will form a new public space with a gravelled surface and seating which will ensure these trees continue to be an important feature of the street.
24. The new landscaping proposed will incorporate large trees along the Plumer Road frontage providing a strong visual statement and acting as a buffer to Tavistock Road. Smaller trees will be planted within the exclusion zone of the pylon and other shrubs and areas of meadow will be incorporated within the overall planting plan to add further interest to the visual quality of the area.
25. Conditions will be required to ensure further details of the landscaping are provided alongside the retention of the existing trees that will be incorporated in to the development. Details of future maintenance arrangements will also be requested.

### Neighbouring Amenity

26. In addition to Planning Committee considering the previous proposal was out of character with the area due in part to its scale they also felt the massing of the development would have an overbearing impact on existing properties in the locality.
27. *Overbearing*

*The Local Planning Authority considers that the proposed would have an overbearing impact on residents of The Limes contrary to policy CS34.6 of the Local Planning Authority which are consistent with paragraphs 17 and 61 of the NPPF.*
28. The applicant has sought to address this concern by reducing the scale of the development as has been detailed above and by relocating the southern block further away from existing properties in The Limes.



29. The side elevation of the proposed block would be approximately 16m from the side elevation of No 1 The Limes. The side elevation of the proposal would only contain a single window serving the corridor at the lower levels which officers consider would not raise overlooking issues. Further principal windows will be located on the fifth floor but as this is well above the height of the neighbouring dwellings again this is not considered to raise privacy issues.
30. The northern block would be an adequate distance (approximately 12 meters) away from the side elevation of No 9 The Limes to ensure the impact in terms of outlook, light and privacy is acceptable. The proposal would be approximately 7.5 metres away from the south elevation of No 10 The Limes at its closest point) and is not considered to have an unreasonable impact in terms of outlook, light or privacy.
31. The Design and Access Statement incorporates a shadow study for the development which indicates that neither the southern or northern block will cause unreasonable overshadowing of existing properties within the Limes.
32. Officers accept that existing residents will be susceptible to disturbance during the construction phase. A code of practice condition will be used to ensure residents are not unduly affected.

#### Standard of Accommodation

33. The accommodation will comprise of 30 one bedroom and 31 two bedroom apartments. All apartments will meet or exceed the internal size standards in the Development Guidelines Supplementary Planning Document. Outdoor amenity space would be provided in the communal green space surrounding the buildings. Furthermore some roof terraces have also been incorporated within the design following the previous refusal to improve the amount of amenity space being provided. The Design Review Panel had identified this as a potential area for improvement to the scheme. Officers do not consider that the roof terraces raise significant overlooking issues and are pleased that the area of outside amenity space has been increased.
34. The distance between the bedroom windows in the northern elevation of the northern block and the neighbouring dwelling would be short of the 12 metre guidance found in the SPD, however it is considered that positioning of the building ensures there will be adequate outlook and a decent standard of accommodation will be created.
35. Concern has been raised about the proximity of the proposed development from the large pylon situated adjacent to the proposed northern block. Western Power was consulted on the application and has not raised any in principle concerns to the development. The applicant has ensured that the proposal will not increase the likelihood of the people being able to climb the pylon which is fitted with anti-climb features. An informative will be used to highlight the recommendations of Western Power to the applicant and ensure they maintain a dialogue with Western Power prior to and during the development.

#### Highways/Parking

36. Two of the refusal reasons for the previous application were related to the impact of the development on the wider highway network and the prejudicial effect the new dwellings would have on existing parking issues in the area as detailed below.

37. *Impact on Highway Network*

*The Local Planning Authority considers that the proposal due to the increased traffic movements would lead to an unacceptable impact on Tavistock Road, and be prejudicial to amenity contrary to Policy CS28 of the Local Development Framework Core Strategy which are consistent with paragraph 32 of the NPPF.*

38. The reduction in the number of residential units will decrease the impact of the development on the highway network. The proposed trip generation has been calculated on the basis of trip rates derived from a trip rate database and on the basis of those rates (which are considered to be acceptable by the Highway Authority) the development would attract in the region of 24 two-way trips during the morning peak and 27 during the afternoon.

39. Whilst such a number of trips in isolation would not give rise to any cause for concern in terms of highway capacity on the local road network, the cumulative impact of these trips combined with growth planned on the wider Northern Corridor would have some impact in terms of traffic movements and congestion on the corridor. On the basis of this cumulative impact it is considered justified that a financial contribution of £80,250 (which has been based upon rates derived from the Plymouth Planning Obligations Evidence Base) is secured from the development through a Section 106 Agreement. This funding would be used to help fund the delivery of the Derriford Transport Scheme.

40. The applicant has agreed to the highways contribution. The funding will help to ensure the timely delivery of the Derriford Transport Scheme which aims to reduce congestion between Derriford Roundabout and William Prance Road and create more road capacity for the extra traffic that will be generated by proposed developments in the area.

*Parking*

41. The parking refusal reason of the earlier application stated:

*The Local Planning Authority considers the proposal would aggravate parking difficulties in the area giving rise to indiscriminate parking and be prejudicial to amenity, public safety and convenience. This is contrary to Policy CS28 and CS34.8 of the adopted City of Plymouth Local Development Framework Core Strategy 2007 which are consistent with paragraph 32 of the NPPF.*

42. Officers understand the concerns of members regarding existing parking difficulties in the area and the need to ensure this development will not add to these considerable pressures.

43. Based upon the number and size of units proposed a maximum of 92 car parking spaces would be required to serve the development by applying the residential parking standards included within the Development Guidelines SPD.

44. Whilst the 73 car parking spaces proposed represents a reduction from the number of spaces that could be provided, it should be noted that these are maximum standards and that the Highway Authority could not insist on all 92 spaces being provided considering the good accessibility of the site by public transport.

45. The level of car parking provided equates to a parking standard of 1.2 spaces per unit, with each unit having access to 1 off-street car parking space along with 12 visitor car parking spaces. Such a level of car parking is in accordance with current policy and consequently the level of car parking is considered to be acceptable by officers. A condition will however be required in order to ensure a Car Parking Management Strategy is submitted which will safeguard visitor spaces for their intended purpose and make sure they are not simply abused by those residents who may own more than 1 car.
46. It is acknowledged that the creation of the new vehicular access to serve the southern block and associated visibility splays will result in the loss of some existing on-street kerbside car parking that occurs along Hunter Close. Having visited the site at different times of the day it would appear that much of this car parking is associated with existing employment uses within the immediate area (Plumer House, Crownhill Police Station etc) rather than being generated by local residents. Therefore the proposed removal of this short length of kerbside car parking is considered justified.
47. Taking in to account the highly sustainable location of the development and need to minimise the likely parking demand and vehicle movements associated with the proposal cycle parking at a ratio of 1 space per unit will also be secured by condition.
48. Furthermore whilst a Travel Plan has been submitted to accompany the application it does not include much information on additional measures that would deliver modal shift over and above those measures that you would expect to find in a standard travel plan (information displays, travel information packs, establishing a bicycle user group etc). Notwithstanding the submitted information a condition will therefore be utilised in order to ensure a travel plan:

#### Affordable Housing

49. In order to satisfy compliance with the Planning Obligations and Affordable Housing SPD, 2nd review, July 2012 the development should provide 'at least 30% affordable housing', subject to viability on site.
50. The applicant indicated they would meet this policy requirement by providing 19 affordable units within the development. The needs of the registered provider would mean the affordable units would need to be tenure blind alongside the open market units, provided in small clusters within both blocks and have a service charge that could be maintained at an affordable level alongside the open market units.
51. Officers considered meeting the needs of the Registered Provider would be difficult given the nature of this development. A commuted payment in lieu of on-site affordable housing has therefore been negotiated for this scheme. The commuted sum will be used to help provide specialist affordable housing in the city highlighted as a priority need for this area in order to ensure a balanced and sustainable community can be developed in the northern part of the city. The level of commuted sum has been calculated in accordance with the Planning Obligations and Affordable Housing SPD, 2nd review, July 2012 and is considered acceptable as set out in the Core Strategy Policy CS15 and paragraph 50 of the NPPF.

#### Ecology

52. A preliminary ecological report and accompanying bat survey has been submitted with the application. An ecological mitigation and enhancement strategy (EMES) will be required prior to commencement of development in order to ensure a net biodiversity gain is achieved in accordance with Policy CS19 of the Core Strategy. This will be secured by condition.

#### Public Protection Issues

53. *Contaminated Land*

A land quality assessment Phase 1 Desk Study Report has been submitted in support of the application. The consultant recommendation is for further Phase 2 intrusive ground investigation. Public Protection agrees with the consultant recommendation and as such, conditions are recommended to support the necessary further site characterisation work, plus any other remediation and verification work that may subsequently be required.

54. *Noise*

A full Noise Impact Assessment has been submitted to accompany the application. Public Protection Service agrees with the conclusions of the report and has no objections to the application. A condition will be added to ensure all dwellings meet the required internal noise levels.

#### Sustainability

55. A Sustainability Statement has been submitted with the application which proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production together with the proposed installation size and location. The carbon savings which result from this will be 15% above and beyond what is required to comply with Part L Building Regulations and therefore satisfies the requirements of CS20. This will be secured by condition.

#### Drainage/Flooding

56. The application has been supported by a flood risk assessment. Officers are satisfied that the principal of dealing with surface water through a mix of soakaways and attenuation is acceptable however further details are being sought regarding the details of the infiltration system and exceedance flows.

#### Other Issues

57. The representations received note the poor public consultation the developer undertook after the previous application was refused. As a result of the scale of the proposal the developer is not required to do any additional public consultation above that which the Local Planning Authority carry out as standard e.g. site notices/press advert. Therefore while the Local Planning Authority agree that the online questionnaire was not an inclusive form of consultation the developer was not required to do anymore.

58. The Police Architectural Liaison Officer is supportive of the proposal. In order to ensure the undercroft parking area is appropriately managed a condition is recommended to ensure access is controlled through an electronic fob.

## 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 £253,024.55 (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](http://www.plymouth.gov.uk/cil) for guidance.

## 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:

- Local Greenspace: £23,883 “for the provision and maintenance of greenspace and access improvements at Widey Woods”
- Children’s Play Space: £10,103 “For the provision and maintenance of play facilities at Bladder Meadow of Boniface Lane”
- Playing Pitches: £43,323 “for the provision and maintenance of playing pitch facilities at Chaucer Way”
- Strategic Greenspace: £53,269 “For the provision and maintenance of access improvements to connect Bircham Valley LNR with land adjacent to Poole Farm”
- Highways: £80,250 for Derriford Transport Scheme
- £672,233 Affordable Housing Off-Site Contribution (equivalent to providing 30% affordable housing on site)

The applicant has confirmed they accept these heads of terms and therefore the impact on infrastructure is fully mitigated.

## 12. Equalities and Diversities

The development will provide 61 new residential units that will be available to the general public for sale. Lift access will be provided to all floors so people with mobility issues and young families who require buggy access can occupy the new dwellings. 20% of the dwellings will also be Part M4(2) compliant, the new lifetime homes standard, in accordance with policy CS15

The off-site affordable housing contribution will help to ensure those people within the City in most significant housing need can get a house that meets their requirements.

## 13. Conclusions

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.

The applicant has responded to the previous refusal reasons and positively enhanced the scheme to improve its scale, massing and design. Officers consider the development will not result in undue harm to the character or visual quality of the area. The Highways Authority considers the development will incorporate an acceptable level of off-street parking and the highways contribution that has been secured will ensure the impact of the development on the surrounding highway network will not be severe.

Furthermore in the context of a shortfall in the deliverable supply of housing land the proposal would give rise to important economic and social benefits that weigh strongly in favour of planning permission being granted. The proposal is therefore recommended for conditional approval.

## 14. Recommendation

In respect of the application dated **12/02/2016** and the submitted drawings 1998B - Site Location Plan, 1099A - Block Plan, 2200A - South Block Ground\_Car Park, 2202A - South Block First Floor, 2203A - South Block Second Floor, 2204A - South Block Third Floor, 2205A - South Block Fourth Floor, 2206A - South Block Fifth Floor, 5201 - South Block Roof Plan, 2300A - North Block Ground\_Car Park, 2301A - North Block First Floor, 2301A - North Block Second and Third Floor, 5200 - North Block Roof Plan, 4200 - North and South Block Sections, Utilities Map - Plumer Road 03.03, 3353-3200D\_South Block - Elevations 1, 3353-3201D\_South Block - Elevations 2, 3353-3202D\_South Block - Elevations 3, 3353-3300D\_North Block - Elevations 1, 3353-3301D\_North Block - Elevations 2, 3353-3302D\_Site Elevations, Outline Soft Landscape Plan OSI 147-15.1A, Tree Constraints Plan OSI 147-15.2A, Transport Statement Jubb Consulting dated January 2016, M&E Sustainability Statement dated 12th January 2015, Arboricultural Impact Assessment by Open Spaces Ltd dated January 2016, Preliminary Ecological Appraisal by Open Spaces Ltd dated June 2014, Environmental Noise Planning Assessment by Ion Accoustics Ltd dated 29th January 2016, Flood Risk Assessment by Jubb Consulting dated January 2016, Bat Survey Report by Open Spaces Ltd dated July 2014, Phase 1 Desk Study Report by Red Rock Geoscience dated June 2014 and accompanying Design and Access Statement, it is recommended to: **Grant Conditionally Subject to a S106 Obligation**

## 15. 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 due to the need to accelerate housing delivery in accordance with Strategic Objective 10(8) (Delivering Adequate

Housing Supply) of the Local Development Framework Core Strategy and Policy 46 of the Plymouth Plan.

### CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: I998B - Site Location Plan, I099A - Block Plan, 2200A - South Block Ground\_Car Park, 2202A - South Block First Floor, 2203A - South Block Second Floor, 2204A - South Block Third Floor, 2205A - South Block Fourth Floor, 2206A - South Block Fifth Floor, 5201 - South Block Roof Plan, 2300A - North Block Ground\_Car Park, 2301A - North Block First Floor, 2301A - North Block Second and Third Floor, 5200 - North Block Roof Plan, 4200 - North and South Block Sections, Utilities Map - Plumer Road 03.03, 3353-3200D\_South Block - Elevations 1, 3353-3201D\_South Block - Elevations 2, 3353-3202D\_South Block - Elevations 3, 3353-3300D\_North Block - Elevations 1, 3353-3301D\_North Block - Elevations 2, 3353-3302D\_Site Elevations, Outline Soft Landscape Plan OSI I47-15.1A, Tree Constraints Plan OSI I47-15.2A

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: CODE OF PRACTICE DURING CONSTRUCTION

(3) 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: ARBORICULTURAL METHOD STATEMENT

(4) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

Justification for Pre-commencement:

To ensure that trees are protected during the construction phase.

## PRE-COMMENCEMENT: CONTAMINATED LAND

(5) 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.

Justification for Pre-commencement:

To ensure that risks to health through contamination are properly considered and addressed before building works commence.

## PRE-COMMENCEMENT: BIODIVERSITY

(6) No works shall commence on site until a satisfactory Ecological Mitigation and Enhancement Strategy (which shall include a Construction Environment Management Plan and Landscape Ecology Management Plan) has been submitted to and agreed by the Local Authority.

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.

Justification for Pre-commencement:

To ensure that wildlife habitats are adequately protected from the development.

## PRE-COMMENCEMENT: ACCESS (CONTRACTORS)

(7) 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.

Justification for Pre-commencement:

To ensure that the development can ensure the safety of road users and pedestrians can be maintained.

## PRE-COMMENCEMENT: DETAILS OF NEW JUNCTION

(8) No development shall take place until details of the junction between the proposed vehicular access points to the car parks and the highway (including sight lines) have been approved in writing by the Local Planning Authority; and the buildings shall not be occupied until those junctions has been constructed in accordance with the approved details.

Reason:

To ensure that an appropriate and safe access is provided 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.

Justification for Pre-commencement:

To ensure that the development can ensure the safety of road users and pedestrians can be maintained.

## PRE-COMMENCEMENT: SURFACE WATER DISPOSAL

(9) 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 details shall include:

- details of the drainage during the construction phase;
- details of the final drainage scheme;
- provision for exceedance pathways and overland flow routes;
- a timetable for construction;
- a construction quality control procedure;
- a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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-DPC LEVEL: SUSTAINABILITY

(10) The development shall be completed in accordance with the M&E Sustainability Statement dated January 2016, prepared by Method Consulting LLP. This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production together with the proposed installation size of 37kWp. 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, no development above dpc-level shall take place until details of the locations of the on-site renewable energy production methods (in this case Photovoltaic Cells) have been submitted to and approved in writing by the Local Planning Authority. 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 is in accordance with Policy CS20, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF.

#### PRE-DPC LEVEL: EXTERNAL MATERIALS

(11) Notwithstanding the submitted plans no development above dpc-level shall take place until details (including samples) of the materials to be used in the construction of the external surfaces of the development hereby permitted 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: SURFACING MATERIALS

(12) Notwithstanding the submitted plans no development above dpc-level shall take place until details 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: LANDSCAPE DESIGN PROPOSALS

(13) Notwithstanding the submitted plans no development shall take place above dpc-level until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; ; hard surfacing materials; minor artefacts and structures (e.g. furnituresigns, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

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

#### **Pre-occupation Conditions**

#### PRE-OCCUPATION: LANDSCAPE MANAGEMENT PLAN

(14) A landscape 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: PEDESTRIAN/CYCLE ACCESS

(15) Neither of the buildings shall be occupied until a means of access for both pedestrians and cyclists has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided 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: MINIMUM CAR PARKING PROVISION

(16) Neither of the buildings shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 73 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

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: CAR PARKING MANAGEMENT STRATEGY

(17) None of the residential units hereby proposed shall be occupied until details of a car parking management strategy has been submitted to and approved in writing by the Local Planning Authority. The said strategy shall include information relating to the allocation of all off-street car parking spaces and how those spaces and the dedicated visitor spaces will be managed. Unless otherwise previously agreed in writing the building shall continue to be managed in accordance with the approved details.

Reason:

To ensure that the on-site car parking areas are properly managed in order to avoid vehicles spilling out onto the residential streets surrounding the site and thereby adding to the existing car parking difficulties experienced within the area which would be contrary to Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### PRE-OCCUPATION: CYCLE PROVISION

(18) Neither of the buildings shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 61 bicycles 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.

#### PRE-OCCUPATION: TRAVEL PLAN

(19) Neither of the buildings shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage staff and all site users to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of occupation the applicant shall operate the approved Travel Plan.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 32 and 34 of the National Planning Policy Framework 2012. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

#### PRE-OCCUPATION: WAITING RESTRICTIONS

(20) Neither of the buildings shall be occupied until the applicant has funded consultation relating to extending the existing double yellow lines on Hunter Close up to and including the development frontage and depending on the outcome of that consultation shall implement the agreed alterations to the existing double yellow lines as necessary.

Reason:

To limit the extent of on-street kerbside car parking that takes place along the frontage of the proposed development in order to provide sufficient inter-visibility at the junction of the vehicular access to the main block with Hunter Close 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.

#### PRE-OCCUPATION: SECURE BY DESIGN

(21) Neither of the buildings shall be occupied until details of the secure electronic access doors and fob access system have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise previously agreed in writing the building shall continue to be managed in accordance with the approved details.

Reason:

To ensure that satisfactory measures are put in place to design out crime, in accordance with Policy CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### **PRE-OCCUPATION: MAINTENANCE SCHEDULE**

(22) Prior to occupation of the development hereby approved a maintenance schedule for the building shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include full details for regular maintenance and cleaning and of the elevations. The schedule shall be operated for the lifetime of the development unless a variation to the schedule is agreed.

Reason:

In order to ensure the building is maintained to a high quality and continues to positively contribute to the townscape in accordance with Policy CS02 and CS34 of the Local Development Framework Core Strategy (2006-2021) 2007 and guidance in the NPPF.

#### **PRE-OCCUPATION: PART M4(24) COMPLIANT**

(23) Unless otherwise previously agreed in writing at least 20% of the residential units hereby permitted shall be part M4(2) compliant in accordance with details (including details of the precise siting of the specific units) previously submitted to and agreed in writing by the Local Planning Authority. The approved details shall be fully implemented prior to occupation of the said building and thereafter so maintained and retained.

Reason:

To ensure that 20% of the dwellings on site are built to the equivalent of Lifetime Homes standards to comply with policy CS15 of the adopted City of Plymouth Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

#### **Other Conditions**

#### **CONDITION: TREE REPLACEMENT**

(24) If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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 are subsequently properly maintained, if necessary by replacement.

#### **CONDITION: NOISE**

(25) 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: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED**

(26) 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 [plan no. ^IN] (or in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

**Reason:**

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

**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](http://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: CODE OF PRACTICE

(3) 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: KERB LOWERING

(4) Before the accesses hereby approved are first brought into use it will be necessary to secure dropped kerbs and footway crossings with the consent of the Local Highway Authority. 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.

#### INFORMATIVE: ARCHAEOLOGY

(5) The applicant should note that a historic embankment associated with Crownhill Fort lies within the boundaries of the proposed development site. It is understood that the proposed development lies to the east of the embankment and that ground-works should not impact on the feature. If the developer believes this not to be the case immediate advice from the Plymouth City Council Historic Environment Team

must be sought.

#### INFORMATIVE: SOUTH WEST WATER

(6) The applicant is advised to contact South West Water prior to works commencing on the site in order to discuss any requirements they have in relation to apparatus they have in the area. They should contact [developerservicesplanning@southwestwater.co.uk](mailto:developerservicesplanning@southwestwater.co.uk) or tel: 01392 443878.

Please quote reference number SA100316 PL6 5DZ

INFORMATIVE: WESTERN POWER

(7) The applicant is advised to contact Western Power prior to works commencing on the site in order to discuss any requirements they have in relation to apparatus they have in the area.